



ISLE OF MANN, AND DIOCESE OF SODOR AND MANN,
 ANTIENT RECORDS AND DOCUMENTS RELATING TO
 THE CIVIL AND ECCLESIASTICAL HISTORY AND
 CONSTITUTION, COLLECTED AND ARRANGED BY W.P.
 WARD

WILLIAM HARRY PERCEVAL WARD

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ISLE OF MANN,
AND
DIOCESE OF SODOR AND MANN.

ANTIEN^T AND AUTHENTIC
RECORDS AND DOCUMENTS
RELATING TO THE
Civil and Ecclesiastical
HISTORY AND CONSTITUTION OF THAT ISLAND.

COLLECTED AND ARRANGED BY THE
REV. WM. PERCEVAL WARD, M.A.

Domestic Chaplain to the Bishop of Sodor and Mann.

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PREFACE.

THIS account of the affairs, Civil and Ecclesiastical, of the Isle of Mann, has been published at the express desire of many persons interested in the preservation of the antient See established in that Island.

The Ecclesiastical Commissioners, in their second Report, proposed to annex this See to that of Carlisle. The Archdeacon and Clergy of Mann, immediately upon the appearance of that Report, addressed a Memorial to the Commissioners, expressing the "deep concern" with which they had seen that proposition. The Archdeacon attended to give his personal evidence against the measure, before the Board: the late Bishop, the present Bishop of Rochester, signified to the Commissioners his readiness to do the same, and afterwards did so in his place in the House of Lords. Sir William Hillary forwarded to them a petition with 1200 signatures, among which were "the names of a large majority of the Gentry, Landowners, and most respectable Inhabitants," expressing, as the Chairman of the Island-Committee said in a letter to the Archbishop of Canterbury, "the most unanimous sentiments of the inhabitants of the Isle of Mann, on the ruinous consequences to the best interests of this Island, which, they feel convinced, must inevitably be produced by the incorporation of the Bishoprick of Sodor and Mann with that of Carlisle." Memorials, expressing similar sentiments, were presented by several of the Clergy and Laity of the Church of England; and a petition was presented to his late Majesty, signed by 2000 Mankmen, in which the Petitioners humbly beseech "his Majesty's gracious consideration of their case; and that, in his wisdom, such means may be devised, as may avert the contemplated change, and afford them a long continuance of their present privileges." The Bishop, also, first privately, and

since publicly, has protested in the strongest manner, and in every possible way, against the proposed scheme: but especially in a petition to the House of Lords, and in a Memorial to the Commissioners, in the conclusion of which he says, "I will never cease to repeat the warning with the greater earnestness, as the approach of my death hastens the accomplishment of this measure. To avert the threatened calamity from my Church, I am prepared to make any sacrifice; for I believe most solemnly, that in a very few years after the removal of the Bishop, the name only of a Church will be left to her; and her empty walls will stand as sad memorials of an arrangement, needless and uncalled for in itself, burdensome to Carlisle, and destructive to her own best interests." The proposition was discussed when before the House of Lords, on which occasion it was said to be "defensible on the ground of territory:" owing to various causes the opposition was not brought to a decision, and the recommendation of the Commissioners accordingly passed into a law. Now, it is asserted, that in this Act Parliament has legislated for a part of her Majesty's Dominions, over which it has no control, except in Fiscal regulations, and Navigation laws: it is asserted, that, if the Act of *any* Parliament be necessary to make this exercise of the Royal Prerogative available in law, it must be the Act of the independent Insular Legislature itself: and can be of no other, so long as that exists. To establish this point, as well as to explain some parts of the Bishop's Memorial, it was thought necessary, that a short History of the Insular Constitution, both Civil and Ecclesiastical, should be published. In the present attempt to accomplish the object desired, the writer has had two difficulties to contend with—a superabundance of materials, with a very short time, and that, too, unexpectedly interrupted, in which to arrange them. These must plead his excuse for the want of brevity, and for defective arrangement—two most desirable points to be attained, when the sole object of a Work is, that it should be read.

ANTIENT AND AUTHENTIC
RECORDS AND DOCUMENTS

RELATING TO THE
CIVIL AND ECCLESIASTICAL HISTORY AND CON-
STITUTION OF THE ISLE OF MANN.

THE most authentic, as well as the most concise accounts of the history and constitution of the Isle of Mann, both civil and ecclesiastical, have been written by Sacheverell, who was governor of the island when Bishop Wilson was first appointed to the see, and by Bishop Wilson himself. I will begin, therefore, with such parts of Sacheverell's history as will serve to throw some light upon the questions, which have given rise to the publication of these brief notices. In his introduction he says, speaking of the advantages of the country, "The first is a perfect unanimity in matters of religion; the next to this is the goodness of their laws, admirably adapted to their constitution. The Lord Coke saith, 'that the Isle of Mann has such laws, the like whereof are not to be found in any other place.' The inhabitants were formerly reputed courageous, and eminent for many excellent military commanders, as will more fully appear from the history; as likewise what respect their kings had among foreign princes, of both which Macon (not to mention more) was a most remarkable instance. But above all they have been famous for their hospitality to strangers, as great numbers of English in the late civil wars, and many thousands of Irish Pro-

testants in these last devastations of that kingdom can now witness. Nor were they less celebrated, in former ages, for sheltering distressed princes, of which I will venture to give my reader one instance.—Eugenius, when prince of Scotland, took sanctuary in this isle for nine years; and was afterwards recalled by the nobility and people, and crowned king of Scotland: to omit Ederius and Corbred, who were educated in this island, even before Christianity; for these princes chose the Isle of Mann for their retreat, because it was then, as many ages after, accounted the only seat of learning; first, under the Druids, of whom this was a principal seat, and was called *Sedes Druidarum*, and *Insula Druidarum*. Nor was it less remarkable under their first pious Bishops. Hector Boetius says, ‘Mann was the fountain of all honest learning and erudition.’ Others of the Scotch nation made it the royal academy for educating the heirs apparent of the crown of Scotland; as Eugenius III. himself, who likewise sent three of his sons into the Isle of Mann, to be educated under Couranus his uncle, at that time Bishop: and before this, ‘the same Couranus ordered that the three sons of his brother Cougel, viz., Eugenius II., Cougalus II., and Kinotellus I., should be brought up in the Isle of Mann,’ says Boetius, ‘under the government of certain instructors and schoolmasters, to be trained up in learning and virtuous discipline, according to an antient ordinance thereof made and enacted.’ So celebrated was the disciple of those ages, that it seems to have passed into a law, that the princes of Scotland should be educated in this island.

Having thus far shewn wherein the antient honour of the island consisted, I think I ought to let my reader know, that it had formerly an order of nobility, for I find both Earls and Viscounts mentioned, who, in my opinion, were

the governors of the out isles. There were likewise several ecclesiastical Barons in this isle; but because those pious foundations lie buried in their own ruins, I shall crown my work with what is the greatest glory this world affords, that it was a kingdom, if you will take the words of my Lord Coke, "The antient and absolute Kingdom of Mann," in Calvin's case, lib. 7. cap. 21. Although since it fell under the homage of the crown of England, it was never granted but by title of the Island and Lordship of Mann, so that it pretends to no such absolute dominion, but allegiance to the crown of England is reserved in all publick oaths; neither do I find my author of opinion, that it was an absolute kingdom even in the time of the Norwegians; not but that it *still* retains most of the essential marks of power; as making laws, of pardoning, of holding all courts in the Lord's name, the patronage of the bishoprick, and many other inferior marks of regality, which, as they were derived from the favour of the crown to the house of Derby, so the uninterrupted loyalty of that family may be justly thought to have deserved it, especially, while they managed that great trust with so much care of the people; by which they stood examples to all in power, that there is one little barren spot, where law and justice, true religion, and primitive integrity flourished; in contempt of poverty, and all things the world calls misfortunes."

Such is the worthy Governor's introduction to his history, in which he fully substantiates every assertion here made. It must be borne in mind, that by the Act of revestment, the late Duke of Athol ceded his Lordship to the crown; all his rights, therefore, are now vested in the Sovereign, and her most gracious Majesty has become the sole guardian of our antient laws and constitution: and as that once "little barren spot" has, through the regard of its rulers have had to

“law and justice,” and through the people’s observance of “true religion and primitive integrity,” become a fertile and flourishing island, with the most cheering prospects of a still more rapid increase of all that which “the world calls” *prosperity*: so we may hope that, under the crown of England, that happy state of things, which have combined to promote the welfare of the inhabitants of the island in so marked a manner, may be continued, not only untouched, but doubly and trebly secured to us, by that golden chain which binds us to the throne of England. After his introduction, Sacheverell goes on to describe “the original Government of the Isle of Mann.” As it would be useless to follow him through all the details of the history connected with their kings, I will only observe, before giving a brief outline of it, that his authorities are, at the least, as good as those upon which any other history of dark ages rests, viz.:—old MSS., histories, and tradition universally received. Nennius, Hector Boetius, Jocelinus in Vita Patricii, and especially a MS. in the Cottonian library, now in the British Museum, called “Chronicon Insulæ Man-niæ,” had already supplied Camden and Archbishop Usher with materials for their different accounts of this island; and Sacheverell makes use of their researches, together with his own. He mentions a very antient manuscript, now in the British Museum, which was put into his hands by the executor of Dr. Fell, Bishop of Oxford, in which he found an exact succession of Bishops of Mann for above 200 years, and which he had reason to believe had been taken from the Roll of the antient abbey of Rushen, in the isle of Mann. This abbey was a branch of the Cistercian abbey of Furnes, in Lancashire, since the suppression of which the documents found there have come into the office of the duchy of Lancaster. Among

them is an old MS., which I shall have occasion to mention presently. Another authority is Dugdale's *Monasticon*, in which are given some very interesting extracts from an old MS. in the Seldenian collection. Bishop Keith and Le Neve complete the list of the chief authorities who will be used in this account, till we come to speak of the laws, when, of course, the genuine Manks code itself will be our best guide. The MSS. in the British Museum, and in the office of the Duchy of Lancaster, I have seen myself, and compared with the translations given of them by Cambden and Sacheverell, and found them, as far as I had time to go into them, in perfect agreement, as also an original translation of the Cottonian MS. by Johnstone, who was our secretary of legation, at Copenhagen, in 1736. It seemed better to give a list of my authorities in the first instance, as I shall have frequent occasion to refer to them; and I will only add, that they are in themselves sufficient evidence to establish any history; and that they are still further corroborated by the generally received Manks and Irish traditions, as also by the names of places, parishes, and churches.

The first government was a sort of aristocracy, under the Druids, which lasted to the end of the third century, about which time, says Nennius, the island was conquered by Binley, a Scot, who divided the land between himself and his followers, and this "original contract" became the foundation of their laws; which the universal traditions of the Manks ascribe to Mannan-Mac Lear, whom they believe the father, founder, and legislator of their country; and place him about the beginning of the fifth century: he was brother to Fergus II., who restored the kingdom of Scotland, A. D. 422. Towards the latter end of his reign St. Patrick landed here in his second voyage to Ireland:

and after some stay left Germanus bishop, as Jocelinus says, "ad regendum et erudiendum populum in fide Christi." This Germanus was canon of the Lateran, a prudent and holy man, and one of the first assistants of St. Patrick in the conversion of Ireland; by his wisdom and conduct he firmly established the Christian religion in Mann: he died before St. Patrick, and the church celebrates his memory among the blessed, and the cathedral in Peel Castle is dedicated to him. To supply his loss, St. Patrick sent over two bishops in succession, Corindrius and Romulus; after whose death St. Maughold was elected A.D. 498, four years after the death of St. Patrick. How long he filled the chair is uncertain, but the Manks tradition says, the temporal government continued successively in the hands of the bishops. It is probable that about A.D. 594, the island was annexed to Scotland, for we find Brennus reigning there, who is called by Buchanan Brendinus Regulus Euboniæ; he was nephew to Ayda, King of Scotland, to assist whom against the Picts he brought over an island force; at this time Conanus was bishop, under whose care the princes of Scotland were placed. Twenty years after the death of Brennus, the island was ravaged by Edwric, King of Northumberland. After this, for three hundred years, it seems to have been at peace in itself, for we find no account of it in the British historians: but the Manks tradition supplies us with a line of kings, whom they term Orrys, and of whom they had a succession of twelve. The first was a son of a king of Denmark and Norway; he first conquered the Orcades, and the Ebudes, and at last fixed his residence in the Isle of Eubonia (Mann): he reigned long and peaceably, and became the founder of their second race of kings, called Orrys. "During whose government the Christian religion flourished under the care of their

Bishops, successors to St. Patrick." Castle Rushen (now the prison) was built by Guttred, the son of the first Orry: in breaking through a wall of this castle a few years since, an oak beam was taken out, on which was this date, A. D. 907—this vast pile of building is in the most perfect order, and a part of it was, till very lately, inhabited by the Governor, though certainly better adapted as a safe retreat from the attacks of Norwegian pirates of the tenth century, than as a residence for an English gentleman, of the nineteenth. Fifth in succession from Guttred was Macon or Macutus, whom Edgar made Admiral of his fleet. Sir Henry Spelman calls him "*totius Angliæ archipirata*," and from him was taken the antient bearing of the island, a ship in full sail with this inscription: "*Rex Manniæ et Insularum*." When Edgar made the memorable confirmation of the Charter of Glastonbury, Macon subscribed to it immediately after the king of Scotland.

A. D. 1065 begins the "*Chronicon Insulæ Manniæ*," preserved in the British Museum; it seems to have been written, says Cambden, by the Monks of Russin Abbey. It begins thus:—"In the year of our Lord 1065, died Edward, King of England, of pious memory, to whom Harold, son of Godwin, succeeded. Harold Harfager, King of Norway, raised war against him, and was so beaten at a battle at Stainford bridge, that his men ran away. In this flight, one Godred, surnamed Crovan, the son of Harold the Black, escaping out of Iceland, came to Godred, the son of Syrric, King of Mann at that time, and was honourably entertained by him. The same year William the bastard, conquered England; and Godred, the son of Syrric, King of Mann, died, and was succeeded by his son Fingall. An. 1066, Godred Crovan got a numerous fleet together and arrived at Mann," which, after he had con-

quered, he divided between his own followers and the natives, the southern part to the former, the northern to the latter; "upon condition," says the chronicle, "That none of them should ever presume to claim any part of it as their inheritance. Hence to this very day the whole island is the king's, and all the rents that arise in it belong to him." The chronicle then gives a list of all the kings of this Norwegian line, with an account of the various actions of each; but it is only an account of battles, till A. D. 1102, when Olave, the son of Godred, who had been brought up in the court of Henry, King of England, came to his father's throne, in 1134; he "gave to Yvo, abbot of Furnes, part of his land in Mann, towards building an abbey in a place called Russin: he enriched the estate of the church with revenues, and endowed it with great liberties." "The Abbey of Russin," says Sacheverell, "was to serve as a nursery to the church; from hence it is the abbots of Furnes had the appointment of the abbot of Russin; and, as some believe, the right of electing the bishop himself, and was a sort of chapter to his diocese. Olave, having thus laid the ground work of his establishment, greatly endowed the whole church. The revenue was set out after the most antient and apostolical manner, viz.—One third of all the tithes to the bishop, for his maintenance; the second to the abbey, for education of youth and relief of the poor (for those good monks were then the publick almoners, and by their own labours rather increased than diminished the publick charity); the third portion of the tithes was given to the parochial priests for their subsistence." The chronicle gives a list of kings up to 1210, who were most of them buried in the church of Rushen Abbey. An. 1219, Reginald, King of Mann, having been taken by King John under his protection,

imitated that king in submitting to the Pope: this surrender was done at London, at the house of the Knights Templars.

“The Act of surrender made by Reginald to the see of Rome.

“Reginaldus rex insulæ Mann, constituit se vassallum sedis Romanæ, et ex insulâ suâ facit feudum oblatum Londini, 10. cal. Octob. 1219.”

Here follows the deed of surrender to Pope Honorius. Anno 1249, another Reginald was king, and left one daughter, very young, who, in the year 1292 claimed the kingdom of the isles, and did homage to King Edward I. Although we do not find in the whole Norwegian line any pretence to a female succession; yet this gave ground for a plea near four hundred years after, upon which sentence was pronounced in favour of the heirs general of Ferdinand, Earl of Derby, against his brother, Earl William.

The old chronicle brings down the history to 1316. But I will finish the account of the Norwegian line in the words of Saceverell. “In the year 1263 Aquinus, king of Norway made a descent upon Scotland, but was forced to take shelter in the Orcades, where he died at Kirkwall. This was the last feeble effort of that nation, which had spread its arms over all Europe for five hundred years past. It had given kings to England and Sicily, dukes to Normandy, and held the sovereignty of these isles for nearly 200 years; but by continual throwing off such vast numbers of the natives, had so weakened itself, that some time after it became subject to Denmark. This little kingdom deprived of the protection of Norway, could not support itself; and Magnus the Ninth and last of the race of Godred Crownan, who for two hundred years had enjoyed the name of kings, dying AN. 1265, their inheritance became

an addition to the crown of Scotland." The king of Scotland governed the island by his Thanes, but "the natives, who, till this time, had followed their hereditary kings with a cheerful active obedience, being now oppressed by these foreign chiefs, rose universally against the Scotch nation, with a resolution either to extirpate them, or fall to a man themselves; but by the interposition of their good bishop this general massacre was averted." After this the Isle of Mann seems to have been for many years the scene of continual struggles between subjects of Scotland, England, and the descendants of the antient kings. Edward the Third granted it to the grand-daughter of Mary, the daughter of Reginald, the last of the family of Godred Crownan, and supplied her husband, Sir William Montacute, with forces to take it; and afterwards caused him to be crowned, and styled King of Mann, AN. 1344. "*Est nempe jus,*" says a record of 1393, *ipsius Insulæ ut quis illius sit Dominus, Rex vocetur, cui etiam fas est Coronâ aureâ coronari.*"

I will finish this account in the words of Bishop Wilson :

"In 1312, there is a second agreement made between Haquin V. of Norway, and Robert I. of Scotland; and in 1426, a third agreement—all of which are set down at large in Torfæus' History of the Orcaæ. But before this last agreement, the island was in possession of John Lord Stanley and of Man, who had it given him by Henry IV. A.D. 1405. However, forasmuch as by the last agreement between the kings of Norway and Scotland, the latter claimed a right to this island, the lords of Man were obliged to keep a constant standing army and garrisons for the defence of it, till the reign of James I. of England. And in this honourable house it continued to the year 1739,* except for twelve years, when it was

* An. 1739 James Earl of Derby died without issue, and the Lordship of Mann became the property of the Duke of Athol, who had married the heiress of a late Earl of Derby. In 1765 the Duke of Athol sold the "*regalities*" of the island, reserving his landed pro-

given by the parliament to Lord Fairfax; but it returned to its antient lords at the restoration.

"Though this island (as the Lord Coke says) be *no parcel* of the realm of England, yet it is a part of the dominions of the *kings* of England, to whom therefore allegiance is reserved in all public oaths administered here.

"The lords of it have for a long time waived the title of kings, and are now only styled 'Lords of Man and the Isles;' though they have still most of the regalia—as the giving the final assent to all new laws, and the power of pardoning offenders, of changing the sentence of death into banishment, of appointing and displacing the governors and officers, with a right to all forfeitures for treason, felony, *felo de se*, &c."

I now come to consider a most important point in this history, which is, the origin and authority of the antient laws and constitution of the Isle of Man, and before giving any documents relating to them, I cannot do better than repeat verbatim Bishop Wilson's description both of the laws themselves, and of the legislative and executive body.

"The laws of the island are excellently well suited to the circumstances of the place and the condition of the people; anciently, the Deemsters (that is, the temporal Judges) determined most causes, (which were then of no great moment, the inhabitants being mostly fishermen) either as they could remember the like to have been judged before, or according as they deemed most just in their own consciences; from whence came the name of 'breast-laws.'

"But as the island every day improved under Sir John Stanley, and his successors; so they, from time to time, observing the many inconveniences of giving judgment from breast-laws, ordered, that all cases of moment or intricacy, decided in their courts, should be written down for precedents, to be a guide, when the same, or the like cases, should happen for the future.

"And that these precedents might be made with greater caution

perty and patronage of the Bishoprick; but these also he sold some years afterwards. The Sovereign, therefore, by this Act of re-vestment, stands in precisely the same relation to the legislature of the Isle of Mann, as the Kings formerly, and afterwards the Lords, have stood.

and justice, the law has expressly provided, that, in all great matters and high points that shall be in doubt, the Lieutenant, or 'any of the council for the time being,' shall take the Deemsters to them, with the advice of the elders of the land, (namely, the twenty-four Keys, as it is elsewhere more fully explained) to deem the law truly, as they shall answer it.

"Now, if to this we add, that once every year, namely, on St. John Baptist's-day, there is a meeting of the Governor, Officers spiritual and temporal, Deemsters, and twenty-four Keys, where any person has a right to present any uncommon grievance, and to have his complaint heard in the face of the whole country, there cannot be imagined a better constitution, where the injured may have relief, and those that are in authority may, if they please, have their sentences and actions, if righteous, justified to all the world.

TINWALD.

"This court is called the Tinwald, from the Danish word Ting, that is, *Forum Judiciale*, "a court of justice;" and Wald, that is, 'fenced;' it is held on a hill near the middle of the island, and in the open air. At this great meeting, where all persons are supposed to be present, all new laws are to be published, after they have been agreed to by the Governor, Council, Deemsters, and twenty-four Keys, and have received the approbation of the Lord of the Isle.

COUNCIL.

"The Council consists of the Governor, Bishop, Archdeacon, two Vicars-general, the Receiver-general, the Comptroller, the Water-bailiff, and the Attorney-general.

KEYS.

"The twenty-four Keys, so called (it is said) from unlocking, as it were, or solving the difficulties of the law, represent the commons of the land, and join with the Council in making all new laws, and with the Deemsters in settling and determining the meaning of the ancient laws and customs in all difficult cases.

"The manner of choosing them at present is this: when any member dies, or is discharged, either on account of age, or for any great crime, which, upon a trial by his brethren, he is found guilty of; the rest of the body present two persons to the Governor, out of whom he makes choice of one, who is immediately sworn to fill

up the body. A majority determines any case of common law that comes before them; for, besides that they are a part of the legislature, they frequently determine causes touching titles of inheritance, where inferior juries have given their verdicts before.

DEEMSTERS.

"The two Deemsters are the temporal judges, both in cases of common law, and of life and death; but most of the controversies, especially such as are too trivial to be brought before a court, are dispatched at their houses.

"The Deemster's oath, which he takes when he enters upon his office, is pretty singular, namely, 'you shall do justice between man and man, as equally as the herring-bone lies between the two sides;' that his daily food (for in former days, no doubt it was so) might put him in mind of the obligation he lay under to give impartial judgment."

After this description the reader will be better able to understand the following account given by Sacheverell, having been extracted by him from the MS. records in the island, of the manner in which, and the authority under which this legislative body assembles for the purpose of ratifying and explaining old laws, viz.—through the *Deemsters* and 24 Keys; and of making new ones, viz.—by the *whole Council* and 24 Keys.

"Sir John Stanley, King and Lord of *Mán*, as I find him stiled in our earliest Records; (for before his time we have none extant.*)" He came into this Isle *Anno* 1417, which I find to be dated *Anno quarto Regalitis nostræ*, which was the Ancient Stile of our Court Rolls. It is probable he had been here in his Father's time to receive the Homage of the People, and left one *John Letherland* Lieutenant, or Governor, but now returning in a mature

* An eminent lawyer and member of the legislature in the Isle of Mann has lately given me this information: "Our antient records were taken to Norway, where, it is said, they were destroyed by fire; our present records commence in the beginning of the 15th century, from which time the Bishop and Archdeacon have been members of the Council;" and, consequently, before that time, because those records speak of them as having been in all times a component part of the legislative body.

Age, and wisely weighing that a just Regulation of the laws are a lasting happiness to a People, and the best security of a Prince, in this important Case he consults their *Deemsters*. By their Advice the whole body of the People were conven'd, at a place in the Center of the Country call'd the *Tynwald*; where every creature, even the Halt and Blind were to come, and receive the King of *Man's* pleasure. This Court is held *Sub Dio*, after the Ancient manner of all the Northern Nations, where the Lord is placed on the top of a little Rising, or Barrow, surrounded by his People, who, in silence, wait the future fate of their Nation in the promulgation of their Laws, which from the Birth of Time had been lock'd up in the breasts of their Magistrates. First therefore they declare to him the Orders of the Assembly, which I shall give you from the Original Record in the Ancient *English* of that age.

“ ‘ Our Doughtful and gracious Lord, this is the Constitution of Old time the which we have given in our days, how ye should be Govern'd on their *Tynwald* day. First you shall come thither in your Royal Array, as a King ought to do by the Prerogatives and Royalties of the Land of *Man*, and upon the Hill of *Tynwald* sit in a Chair, covered with a Royal Cloath and Quishions, and your visage unto the East, and your Sword before you, holden with the point upward, your Barons in the Third Degree sitting beside you, and your Beneficed Men, and your *Deemsters* before you sitting, and your Clerk, your Knights, Esquires and Yeomen about you in the Third Degree, and the worthiest Men in your Land to be called in before your *Deemsters*, if you will ask any thing of them, and to hear the Government of your Land, and your Will, and the Commons to stand without the Circle of the Hill with three Clerks in their Surplices; and your *Deemsters* shall make call in your Coroner of *Glanfaba*, and he shall call in all the Coroners of *Man*, and their Yarges in their Hands with their weapons upon them, either Sword or Ax; and the Moars, that is to wit, of every Sheading: Then the chief Coroner, that is the Coroner of *Glanfaba*, shall make a fence upon pain of Life or Lymme, that no Man make any disturbance or stir in the time of *Tynwald*, or any murmurer rising in the King's presence, upon a pain of hanging and drawing: And then shall let your Barons, and all other know you to be King and Lord; and what time you were here, you received the Land as Heir apparent in your Fathers days, and all

your Barons of *Man* with your Worthies Men, and Commons did you Faith and Fealtie, and in as much as you are by the Grace of God now King and Lord of *Man*, ye will now that your Commons come unto you, and shew their Charters how they hold of you, and your Barons that made no Faith nor Fealtie unto you, that they make now; and if any of your Barons be out of the Land, they shall have space of Forty days after that they are called in to come shew whereby they hold and claim Lands and Temements within your Land of *Man*, and to make Faith and Fealty if Wind and Weather serve them; or else to seize their Temporalities into your Hands: And then to proceed in your matters whatsoever you have there to do in Fellonie, or Treason, or other matters that touch the Government of your Land of *Man*.'

"Having thus settled the Order of the Assembly, which from the place they call the *Tynwald*, they next proceed to acquaint him with the Duty of the People, as their keeping Watch and Ward, (a Caution very necessary in those troublesome Times) the Power and Authority of his Lieutenant, that all his Deeds be firm and stable, That no Man depart the Island without his License; then for regulating his Garrisons, with his Dues upon Fishing, Carriages, and his Bailiffs Duties; the Power of his Coroners, with several Rules for letting his Estate, that his Council are in all things to move for his Profit: And Conclude in a most severe Sentence against Treason; as Drawing, Hanging, and Quartering without any benefit of Inquest. These are the oldest Records we have extant, to which the People, by an universal Acclamation, gave their Assent. His Affairs called him soon after into *England*.

"On his return he called another Convention of the People, which was held, as follows from the Original Record, at *Renourling* in *Kirk Michael*: In the which Court the Bishop of *Man* was called to come to do his Faith and Fealty unto the Lord, as the Law asketh, and to shew by what Claim he holdeth his Lands and Tenements within the Lordship of *Man*, the which came and did his Faith to the Lord: The Abbot also of *Rushen*, and Prioress of *Duglass*, were called to do their Fealty, and to shew their Claims, Holdings, Lands and Tenements, within the Lordship of *Man*, the which came, and did their Faith and Fealty to the Lord. The Prior of *Whitern* in *Galloway*, the Abbot of *Bangor*, the Abbot of

Sabel, and the Prior of *St. Bede* in *Copeland*, were call'd in and came not; therefore they were deemed by the Deemsters that they should come in their proper Persons within Forty Days; and if they came not, then all their Temporalities to be seized into the Lord's Hands. After this he confirmed all such Laws as had been rednoed to Writing."

"By the advice of his Council and four-and-twenty Keys, the Lord of Mann may make such laws as tend to the good government of his country and repeal others." But, like Parliament, they cannot assemble unless summoned by the Lord, or his Lieutenant: it is also not constitutionally incumbent upon him to summons the *whole* number of twenty-four, which power corresponds with that of the Sovereign in England, to grant or withhold the royal writ for the election of a member of Parliament: as too, in England, the executive can proceed without any Parliament being summoned, so in the Isle of Mann, the Lord, or his Lieutenant, can act in his executive, though not in his legislative capacity, without any of the twenty-four Keys. This appears from the records of a Tyndwald court, held in 1422; the words of which are as follows—"Our most gracious and excellent Lord, Sir John Stanley, King of Mann and the Isles. In the vigil of your lady St. Mary, A.D. 1422, at his castle at Rushen, asked his Deemsters, and the twenty-four, the laws of Mann in these points under written. To the which the said Deemsters, with the twenty-four gave for law, that these be points of your prerogatives." Among various other points are these:—

"Whosoever constrains the Lieutenant by any means to hold a Tinwald, or any manner of thing els by constraint, he breaks the King's royalty, and that is high treason.

"Whosoever maketh Gathering or Councell in prejudice of the Councell, he is a traitor by our law.

"Also we give for Law that there were never Twenty Four *Keys*

in certainty, since they were first called *Taxiazi*: These were Twenty Four Free-holders, to wit, Eight in the out-Isles, and Sixteen in your Land of *Man*, and that was in King *Orry's* Days: And since they have not been in certainty, but if a strange Point will come which the Lieutenant will have reserv'd to the *Tynwald* twice in the Year; and by the leave of the Lieutenant the *Deemsters* there to call of the best to his Council in that Point as he thinks fit to give Judgment; and without the Lords Will none of the Twenty Four *Keys* to be.'

"Lastly, the Lord hath Power of holding Courts in his own Name: May Hang and Draw in his own Jurisdiction, and chiefly can Pardon for Life.

"His right of Admiralty was likewise asserted in this Assembly, as Wrecks, Royal-fish, &c. are his by his Regality: But this I find more at large in my Lord *Cook* from the report of *Kellway*, Surveyor of the Court of Wards in the Eleventh of *Henry* the Eighth.

"It was found by Inquisition, that *Thomas* Earl of *Derby*, *tempore Mortis suæ*, was seized of the Isle of *Man*, upon which, *Anne* Countess Dowager of *Derby*, by her Council Sued to have Dower of the said Isle, to which *Blundell* Chief Judge, *ex assensu Brook, Fitz-Herbert*, and of all other the Council of the King, said, that 'the enquiry was merely void; for that the Isle of *Man* is no Parcel of the Realm of *England*, nor do they use the Law of *England*; and it is like unto *Tournay* when it was in the King of *England's* Hands; and unto *Normandy* or *Gascoigne*, which are merely out of the Chancery of *England*, which is the place, and no other, to Endow the Widow of the King's Tenants: But the Isle of *Wight* is made Parcel of the County of *Southampton*, and *Wales* and *Ireland* are Parcels of the Realm, and a Writ of Error or Judgment given there erroneously, lyeth here in *England*; but for such an erroneous Judgment given in *Man*, *Gascoigne* and *Callice*, no Writ of Error lyeth in *England*, for they be no Parcels of the Realm of *England*.' This Case being read at the Council Table to all the Lords, it gave full satisfaction to the whole Board; that the Admiral of *England* had not to do in the Ports of *Man*, but that the Earl of *Derby* is Lord of *Man*, and Admiral of the Isle.

"It may not be improper here to remark that *Reginald*, who was the First that Submitted to the Crown of *England*, did it

upon express Condition, that the Admiralty of those Seas should belong to him ; which gives a fair Origine to the Earl of *Derby* to Claim the same Jurisdiction.

“ Besides all this, he is absolute Lord of the Soil, and immediate Landlord of every Man's Estate (some few Barons excepted) so that reserving his Homage to the Crown of *England*, no Prince hath a more full and ample Authority.

“ The *Deemsters* are the first popular Magistrates, and never were reputed part of the Family ; they sit Judges in all Courts, either for Life or Property, whether the Court be held in the Lord's Name, or any of his Barons ; they have always been two, one for each Division of the Isle, they are stiled in the Ancient Court-Rolls *Justiciarii Domini Regis* ; whether they have their Names from the old word to *Deem*, or think, or to *Doom* or *Condemn*, I cannot be positive ; by the Advice of the 24 *Keys* they may, in all new and emergent Causes, declare what the Law is, and all such Laws so declared were formerly call'd *Breast-Laws* ; and in some measure they seem to keep up the old Authority of the *Druids*.

“ After the *Deemsters*, the 24 *Keys* are the Representatives of the Country, and in some cases serve as the Grand-Inquest of the Nation. They are the last Traverse in all Cases of Common-Law, are present at all Tryals for Life, and in Conjunction with the Governour and Officers make the Legislative power of the Nation ; by a very Antient Law, it was provided, that none of the Lord's Feed-Men should serve as one of the 24 *Keys*. They were antiently call'd *Taxiari*.”

As to the manner of their election as representatives of the people, we find that at this time, when Sir John Stanley was engaged in ascertaining and confirming the antient laws and constitution of his little island kingdom, the twenty-four were elected by the suffrages of the people. Anno 1428, Sir John Stanley sent over Henry Byron, as his Lieutenant, who, “ whether he had observed some discontents in the manner of electing their representatives, or whether he thought it for the real honour and interest of his Master, to have the antient legislative power restored, he calls another assembly the year following 1430, and

ordered six men out of every sheading, or hundred, to be chosen *by the whole body of the Commons* ; out of whom he elected four, which from the six sheadings composed the twenty-four, and by their entreaty all former laws were confirmed." The old Record says—"At a Court of all the Commons of Mann, holden at the Castle of Rushen, betwixt the gates, by Henry Byron, Lieutenant of Mann, upon Tuesday next after the 20th day of Christmas, A.D. 1430, in the which Court six men of every Sheading of Mann were *chosen by the whole Commons of Mann*, the which asketh and beseecheth Henry Byron, Lieutenant of Mann, the points asked in the Tinwald next before holden, to be granted and confirmed as law, if our gracious Lord will be contented. In the which Court the said Henry Byron, Lieutenant of Mann, sitting in the said Court, granteth and confirmeth in our Lord his name all the said askings to be holden as law from henceforth, as they are here of record written."

Thus were the ancient laws and constitution fixed : when Sir John Stanley came to the island, he asked the Deemsters and the twenty-four Keys, whom he found there in authority, to declare to him what the unwritten or breast laws and constitution were : they did so at the first Tyndwald, described by Sacheverell, and he then confirmed them, the people consenting by acclamation : but, in order to give the people a freer, and more deliberative voice in this matter, thirteen years afterwards his Lieutenant dissolved the House of Keys, and summoned another, popularly elected, to reconsider these same laws ; they did so, and confirmed them. " And this," says Sacheverell, " was the last finishing stroke of the settlement of this little state ;" by which, he prays, the people may be governed, so long as there is force in law ; " which all good men will

wish may hold, till time itself shall be no more." Up to this time it has held; though the 24 Keys, having been once elected by the people, have since been perpetuated as a self-elected body; on the death, ejection, or resignation of one of their body two freeholders being chosen by the remaining 23, of whom the Governor selects one; but did he "observe any discontent among the people in the manner of electing their representatives," or did he think it "for the real interest" of his Sovereign, he could, I presume, under the authority of the crown, "call another assembly," as his predecessor did in 1430; and order "six men out of every sheading, or hundred, to be chosen by the whole body of the Commons," that, "by their entreaty all former laws" might be "confirmed," and if need be new laws enacted: but, as "without the Lord's will none of the 24 Keys to be;" so, without the 24 Keys no new laws may be. No necessity, however, for such a dissolution of the present legislative body exists, or is likely to exist. No "discontent" has been observed among the people; on the contrary, the excellence of their laws, and the impartiality of their administration, makes the poorest man feel, that his interests are fully represented and carefully guarded. Did any discontent exist, any person "has a right," as Bishop Wilson says, "to present any uncommon grievance, and to have his complaint heard in the face of the whole country; and there the injured may have relief, and those that are in authority may, if they please, have their sentences and actions, if righteous, justified to all the world;" and this opportunity is given to the people "once every year, namely:—on St. John the Baptist's day, when there is a meeting of the Governor, Officers Spiritual and Temporal, Deemsters, and 24 Keys," who together form the legislative body under the Sovereign, which body

meets on these occasions to proclaim, after solemn public prayers in a chapel eastward of the hill, in the open air, before all the assembled people, any new laws they may have passed. As no people are more blessed, so none are more happy and content than the Manks under their venerable laws, and simple, primitive, I had almost said, patriarchal constitution. Universal suffrage, vote by ballot, annual, triennial, or septennial parliaments are terms unknown among us; and heaven defend us from ever knowing them. Our flourishing and orderly state was well described to me by a traveller I accidentally met two years since upon the Continent—"I have lately been visiting," he said, "the Isle of Mann, and I found there what I did not believe existed, a Legislature governing wholly and solely for the public good, a people desiring nothing less than to send members to Parliament, and a Bishop happy in his freedom from the House of Lords."

This last consideration brings me to the second part of this account, which is the *Ecclesiastical* history of the Isle of Mann—the past and present state of the Church of Sodor and Mann.

As in the notices on this part also, I propose using extracts from Sacheverell's history, I do not think, I can do better than begin them with the letter of that excellent Governor to Bishop Wilson, to whom he dedicates his essay on the "Ecclesiastical Government of the Isle of Mann.—

"To the Right Rev. Father in God, Dr. Thomas Wilson,
Lord Bishop of the Isle of Mann.

"My Lord,

"The Honour you have done me in Your Friendship, makes me hope the ensuing Essay will meet with, if not your Acceptance, at least Forgiveness; since the vast length of Time, has left me nothing to present your Lordship with, but the Names of so many

Saints and Holy Men, who have been your Predecessors in the first fix'd Bishoprick of the British Nations; which was Planted by St. Patrick, (even before Down Patrick, or Ardmagh) settled by St. German, confirm'd by St. Maughould, improved by Conanus to be the most celebrated Nursery of Learning and Religion in these Western Nations: And if by the Barbarous Ignorance of the Eighth, or the Destructive knowledge of the Sixteenth Century, this Church has been sinking into a heap of Ruins; yet as Bishop Barrow first began to support it, so it seems design'd by Providence for your Lordship to re-build and Beautify, and heal the Breaches of so devouring a Reformation. And indeed the Advances you have made, in fewer Months than it was Ages in declining, give us a Specimen of that public Spirit, that Vivacity of Genius, which Shines thro' all your Actions, and make us wish, at least, that you may be the happy Instrument of Compleating so necessary a work.

"These, my Lord, are the Hopes and Expectations of a Poor People, who are not able to tell you themselves, how much they Reverence your Person, and, I doubt, they have but an ill Advocate in,"

"My Lord,

"Your Lordships Most humble and Obedient Servant,

WILLIAM SACHEVERELL."

After shewing from that learned work, the *Britannicarum Ecclesiarum Antiquitates* of Archbishop Usher, that some accounts of its previous conversion to Christianity were not to be depended on, Sacheverell goes on to shew from the same work, that all the Ecclesiastical writers of any credit in those ages, agree St. Patrick was the first who planted the Christian religion in this island; and that the most antient and authentic traditions, both Irish and Manks, concur with them. The Cottonian MS. says, "Here begins the chronicles of the Kings of Mann and the Isles, and of the Bishops." After the list of Kings already enumerated, it goes on, "These are the Bishops who filled the Episcopal See of Mann, since the time of Godred Cronan, A.D.

1056, and a few years before. A short time before the reign of Godred Cronan, Roolwer was consecrated Bishop; he is interred in the church of St. Maughold, (*Sancti Machuti.*) From the time of St. Patrick, indeed, who is said to have first preached the Catholic faith to the Manks, there have been many Bishops over them." Usher again, in proving this point, makes this quotation from Jocelinus in *Vitâ Patricii*. "Sailing back to Ireland, he turned from his course to convert the Islands of the sea; among which he converted to Christ Eubonia, that is, Mann, which was at that time subject to Britain, by his wholesome preaching and miracles. He appointed one of his own disciples, a man holy and prudent, named Germanus, and raised to the Episcopate by himself to rule over the infant church of that nation; and he placed the Episcopal Seat on a certain promontory, which to this day is called Patrick's Island,* because he himself remained there some little time. But other islands being converted to the faith of Christ, he placed one or even more of his own disciples, as Overseers to each; and thus he returned to Ireland." The account collected from other sources by Sacheverell, is to the same effect:—"About the year 434 Pope Celestine 1st sent St. Patrick with twenty more to convert Ireland, or rather Scotland; for it is probable he came not to Ireland till 441, but finding the harvest great, and the labourers too few, he transported himself into Britain, from whence returning an. 444, with thirty religious and learned persons in his company, he landed in the Isle of Eubonia, where he found the people given to magick; but being overcome or convinced by his preaching and miracles they were converted, and St. Patrick going for Ireland an. 447, left Germanus Bishop,

* Peel.

which for the honour of the Manks nation was sixty years more antient than Bangor in Wales, which was the first bishoprick that we read of among the Britains; and 114 years before Austin the Monk. Germanus introduced the liturgy of the Lateran, and so absolutely settled the business of religion, that the Island never afterwards relapsed. He died before St. Patrick, who sent two Bishops successively to supply his place, one of whom survived St. Patrick five years.

“St. Maughold, by some written Macfield, by Dr. Heylin Machilla, by the Latin authors Macutus, was elected Bishop, by the universal suffrage of the Manks nation; but by whom consecrated is very uncertain—for as the former Bishops by right of conversion were consecrated by St. Patrick, so whether the Archbishop of Armagh continued the same does not appear; neither could it have been done by the Archbishop of York, because that Bishoprick was not erected by St. Paulinus till an. 622, above one hundred years after St. Maughold.” Probus, in his second book of the Life of St. Patrick, confirms this account; and Archbishop Usher says, “Jocelinus indeed confirms the statement, that these two Bishops succeeded Germanus, and that Machaldus succeeded them; thus narrating the story:—‘He (Machaldus) having embarked in a boat, committed himself to the sea under the protection of God, and by his guidance he reached the island of Eubonia, which is called Mann. There were there two holy Bishops, called Conindrius and Romulus,* whom St. Patrick himself had consecrated and appointed to that spot to rule the people of that island, and instruct them in the faith of Christ, after the death of St. Germanus, who was the first Bishop of the

* The dates of their consecration, and the order of their succession are not preserved.

same Island. But Machaldus after a while increasing greatly in holiness, attained the Episcopal rank after the death of the last of those above-mentioned holy Bishops; and there he remained illustrious by his miracles and virtues. There was formerly a city in the Island of no small extent, the remains of the walls of which are yet seen, called by his name. And these are the facts, says Usher, which we find handed down to us concerning the succession of the first Bishops of Mann. An extract which I have made from the Annals of Ulster, copied by Johnstone, says, "An. 432, St. Patrick came to Ireland; the great Chronicle written—an. 488, Machald, Bishop of Mann died—an. 492, St. Patrick, Bishop of the Scots died, in the 120th year of his age and the 60th after his arrival in Ireland to convert the Scots." Sacheverell says of St. Maughold, "I mention an error in Hector Boetius and his followers, who stile him Bishop of Sodor, and therefore will have the Episcopus Sodorensis and Mann the same, whereas this Bishoprick of Mann was erected many ages before St. Columbus, who is acknowledged by all writers to be the Founder of the Abbey of Hye, in the Island of Iona, which from him was called Hycolumb-kill, which Monastery was the Cathedral of the Bishop of the Isles, who was from that time stiled Episcopus *Sodorensis*, from a village called Sodor, adjoining to the Monastery, in which the Bishop had his residence; for Mr. Cambden says, in his 'British Isles,' that they were called Insulæ Sodorensis, when the Bishops were ordained in *Sodor*; and with him both Harrison and Mercator agree:

"After the Isle of Man was made the Seat of the Norwegian Race, the Bishopricks were united with the Titles of Sodor and Man, and so continued till conquer'd by the English, since which the Bishop of Man keeps his Claim, and the Scotch Bishop stiles himself Bishop of the Isles, antiently *Episcopus Insularum Sodorensium*.

"How long St. Maughold sate Bishop we do not find, only, Dr. Heylin says, he was Bishop Anno 578,* so that 'tis probable he sate more than Four and Twenty Years; neither have we any certainty of a Successor till the year 600, his Name was

"Conanus, Tutor to the three Sons of Eugenius, the Fourth King of Scotland, as Bishop Spotswood informs us. After him the Succession seems wholly broken till the Eleventh Century; yet during this long vacancy a new Error arose, viz. That the Bishoprick was erected by Pope Gregory the Fourth, Anno 840: Into which Mistake most of our English Writers, as Mr. Cambden, my Lord Cook, and Dr. Heylin, have fallen, without any ground in History that I have yet met with; except that the Bishoprick of the Isles had its beginning about that time.

"In a very Antient Manuscript, which was put into my Hands by the Reverend Mr. Henry Jones (Nephew and Executor to the Right Reverend Doctor Fell, late Bishop of Oxford) I find an exact Succession for above 200 Years; which, in my own Opinion, was extracted from the Roll of the Antient Abby of Rushen. This Manuscript, by way of Introduction, informs us, that though they had a Traditional Succession of Bishops from the time of St. Maughold, yet as it was not certainly known who they were, or in what Order they sate, it was thought more proper to omit them, and begins with one Roolwer. To him succeeded

"William. After him in the time of Goddard Crownan,

"Hamundus, by some written Vermundus, or Wymundus, who probably was the first Bishop stiled of Sodor and Man."

Bishop Wilson, who was perhaps, if possible, more perfectly acquainted with the history of his Church, than either Sacheverell, or Archbishop Usher, thus sums up the history of those early times in these few words:

"The Isle of Man was converted to the Christian Faith by St. Patrick, about the year 440, at which time the Bishopric of Man was erected; St. German, to whose name and memory the Cathedral is dedicated, being the first Bishop of Man, who, with his successors, had this island only for their diocese, till the Norwegians had conquered the Western Isles, and soon after Man,

* This date 578 must be a misprint in Sacheverell's history; the Annals of Ulster say St. Maughold died 488.

which was about the beginning of the eleventh century. It was about that time that the *Insule Sodorenses*, being thirty-two (so called from the Bishopric of Sodor erected in one of them, namely, the Isle of Hy), were united to Man, and from that time, the Bishops of the United Sees were stiled *Sodor & Man*, and sometimes *Man & Insularum*; and they had the Archbishop of Drontheim (styled *Nidorensis*) for their Metropolitan. And this continued till the island was finally annexed to the Crown of England, when Man had its own Bishops again, who stiled themselves variously, sometimes Bishops of Man only, sometimes *Sodor & Man*, and sometimes *Sodor de Man*; giving the name of Sodor to a little isle, before mentioned, lying within a musket-shot of the main land, called by the Norwegians Holm, and by the inhabitants Peel, in which stands the Cathedral. For, in these express words, in an instrument yet extant, Thomas Earl of Derby and Lord of Man, *A. D.* 1505, confirms to Huan Heaketh, Bishop of Sodor, all the lands, &c., anciently belonging to the Bishops of Man, namely, *Ecclesiam cathedralem Sancti Germani in Holm, Sodor vel Pele vocatum, ecclesiamque Sancti Patricii ibidem, et locum prefatum in quo prefate ecclesie site sunt.* This Cathedral was built by Simon, Bishop of Sodor, who died *A. D.* 1254, and was there buried."

Thus we find that that little rock, joined to the main land by a wall, and on which the ruins of Peel Castle, of the Palace of the Stanleys, and of the two Churches dedicated to St. Germanus and St. Patrick, now stand, has changed its name three times: first, St. Patrick chose it as his residence (doubtless from its secure position, and yet convenience for access to all the parts of the yet heathen island), and from him it was called, down to the thirteenth century, St. Patrick's Isle, as we find in the "Chronicles of Mann." "An. 1247, Simon, Bishop of Sodor, died and was buried in the Isle of St. Patrick, in the Church of St. German, which he himself had built." But when, after 300 years, the See of Mann was reduced to its original extent of territory, namely, that lying within its own shores,

the Bishops, unwilling to lose their full title, gave that rock, on which their Cathedral stood, the name of Sodor: it is now called Peel.

But to return to the succession of Bishops—although the writer of the “Chronicon Insulæ Manniæ,” has not given us the names of the Bishops between A. D. 600 and A. D. 1100, yet he witnesses to the fact, that “there were many Bishops here from the time of St. Patrick, who first preached the Catholic faith to the Manks;” and the Insular traditions, supported by other histories, universally maintain, that, under the race of their Kings, called Orrys, the Christian religion, not only kept its ground, but “flourished under the care of their Bishops, successors to St. Patrick.” It is some confirmation of this to say, that the valley in which Bishop’s Court now stands is called Orry’s-dale, and the more antient part of the house, which from the extreme rudeness and massiveness of its masonry shews evident marks of very great antiquity, has been always designated “King Orry’s tower:” that it was formerly a place of strength is evident from the structure of the building, and the remains of an old moat.

During this period, in the tenth century, Castle Rushen was built; and in the eleventh, the Abbey of Rushen was founded, during King Olave’s minority, by Mac Marus. During this period also of 500 years, all those Saints (excepting those already named), to whom our Parish Churches are dedicated, lived and died: among others, Bishop Keith mentions, as Bishop, St. Brandanus, to whom the Church of Kirk Braddon Parish is dedicated.

Though much more might be said on the primitive state of this Bishoprick, from Usher, yet enough has been already said to prove, as the after history will shew, that during a period of 1400 years, 300 only have seen it united

to any other See: throughout the remaining 1100 its own natural territory has not been thought insufficient for Episcopal jurisdiction.

We will now turn to the Chronicle, of which Johnstone in his "*Antiquitates Celto-Normanicae*" has copied the original verbatim, together with a translation. This gives a history of each Bishop; but, as it is needless to enter into all particulars, I will only give the names, till I come to any one whose actions may help to elucidate any particular point.

This record begins thus: "These are the Bishops, who filled the Episcopal See of Mann, since the time of Godred Crownan (A. D. 1056), and a few years before. A short time before the reign of Godred Crownan, Roolwer was consecrated Bishop. He is interred in the church of St. Maughold, (*Sancti Machuti*)."

1st, therefore, Roolwer. 2nd. William. 3rd. Wymundus, under whom the two Sees of Mann, and the Isles, were united, and he therefore is the first we find stiled Bishop of *Sodor and Mann*, An. 1113. Mathew Paris, p. 85, has these words: "*Post conquestum Norwegorum, An. 1098, binæ sedes, Sodor et Mann, in unam coaluerunt, et primus Episcopus fuit Wymundus, sive Wermundus.*" 4th, Garmaliel. 5th, Reginald a Norwegian, the first consecrated by the Archbishop of Nidrosia, or Drontheim. In his time the primitive tripartite division of the tythes, already mentioned in the account of King Olave's reign, was confirmed by that King; viz., one-third to the Bishop, one-third to the Monks of Rushen Abbey for education and the poor, and the other third to the Parish Priests. The first and the last remain as at the first; but the third belonging to these good Almoners the Monks (for such they were) fell with their noble Abbey into the hands of the

Lord at the time of the Reformation ; he retained the tythes, but the Abbey with its lands was sold, and now lies buried in its own ruins ; the “ *monitus locorum*,” as the present Bishop has said in his Memorial, “ of ruder perhaps, but not less pious ages,” surely we may say, of ages *more* pious than this age of “ devouring reformations ;” these tythes thus made inappropriate are now vested in the Crown ; but of them hereafter. 6th, Christian. 7th, Michael, a Manksman, a person of great merit and exemplary life ; he died in a good old age, and was buried apud Fontanos Anno 1203.

7th, Nicholas de Meaux, Abbot of Furnes. 8th, Reginald. 9th, John. 10th, Simon, a person of great discretion, and learned in the Holy Scriptures ; he held a Synod An. 1239, in which thirteen Canons were enacted ; most of them relate to Wills, the Clergy’s dues, and other such matters.

9th, Lawrence. 10th, Richard ; in his time the Scots conquered the islands : he consecrated the Abbey Church of St. Mary of Rushen, An. 1257, which had been begun 130 years before, and had been the burial place of many of their Kings. 11th, Marcus, Lord High Chancellor of Scotland, as appears from their Records, “ *Marcus Sodorensis Episcopus, ipsius regnæ Scotiæ cancellarius* ;” he held a Synod at Kirk Braddon in the Isle of Man, in March 1291, where 39 Canons were made. Allan. Gilbert. Bernard de Sinton, the famous Abbot of Arbroath, who for many years was Lord Chancellor of Scotland, in the reign of Robert 1st. Thomas, An. 1334, “ during this Bishop’s time,” says Bishop Keith, “ the English, taking advantage of the civil wars in Scotland, conquered the Isle of Mann, of which they have ever since retained possession.” William Russell, “ Abbot of Rushen, was elected by the *whole*

Clergy of Mann, in St. German's Church in Peel Castle. He was consecrated by Pope Clement 6th, at Avignon, and was the first that shook off the yoke of the Archbishop of Drontheim, by whom his predecessors had for many ages been consecrated." He is the first Bishop we hear of being elected by the Clergy of Mann; the reason of such an unusual mode of election was probably this:—when the two Sees of Sodor and Mann were united after the Norwegian conquest, An. 1098, the Bishop was elected by the Abbey of Furnes, in Lancashire, which was the Mother of Rushen Abbey, in the Isle of Mann, which last, Dugdale, in his *Monasticum Anglicanum*, calls, "*Cella Furnesiensis Cœnobii*," and quotes these words from the *Chronicon Manniæ*: "An. 1133, Olavus Rex Manniæ dedit Yvoni, Abbati de Furnes, partem terræ suæ in Manniâ ad abbati-
am construendam in loco, qui dicitur Russin: deditque ecclesiis Insularum terras et libertates, et erat circa cultum divinum devotus et fervidus, tam Deo, quam hominibus acceptabilis." The Abbot of Furnes had the appointment of the Abbot of Russin: and from a MS. taken from the former Abbey, which I have seen in the office of the Duchy of Lancaster, it appears he had also the appointment of the Bishop of Mann and the Isles; in that MS. is a Bull of Pope Celestine to Furnes Abbey: "In eligendo Episcopum Insularum, libertatem, quam reges earum bonæ memoriæ Olavus et Godedus, filius ejus, monasterio vestro contulerunt sicut in authenticis eorum continetur, auctoritate vobis Apostolicâ confirmamus. Dat. Romæ, 10 cal. Julii, pontificatûs nostri 4."

Such election then held good, so long as the Sees of Mann, and the Isles were united, as they were under the Norwegians and the Scotch; but when in the time of Bishop Russel's *predecessor*, an. 1340 about, the English

got possession of the Isle of Mann, the two Sees were again disunited, after a union of 300 years: upon his death therefore, 1348, the Clergy of the Isle of Mann, finding themselves in a new situation, with an unsettled government both of Church and State, elected William Russel, who had been eighteen years Abbot of Rushen, their Bishop; and he being without a Metropolitan (the Archbishop of Drontheim having been supposed to have lost his spiritual jurisdiction, when the King of Norway lost the Island), went to Avignon to be consecrated by the then acknowledged head of the Church, Pope Celestine. His successor also, John Duncan, was elected in the same way by the *Clergy of Mann*, "and going to Avignon was confirmed by Pope Gregory XI., and consecrated 'per Cardinalem Prenestinum dudum Archi-episcopum.'" Here the Chronicle ceases. But before his death the English were in full possession, and the government was settled under the House of Derby; Sir John Stanley therefore, to whom Henry IV. had "granted the Island, with the Castle of Peel, and all royalties, regalities, together with the patronage of the Bishoprick," proceeded to elect Robert Waldby to the vacant See, who was afterwards Archbishop of Dublin: "and the Scots," says Bishop Keith, "elected, for Bishop of the Isles, cotemporary with Waldby, John; stiled in the reign of Robert II., Johannes Episcopus Sodorensis." Having then shewn how the transition was effected in those days, and how the *Clergy of Mann* acted, even in the tumults of war, when deprived of the regular order in maintaining inviolate the succession of their Bishops: having shewn how they fell back, gladly as it would appear, certainly of their own accord, into that primitive order, which had been established by their Founder, St. Patrick, confirmed by St. Germanus, and continued for 600 years

under their own Kings ; till, 300 years before the time we speak of, a Norwegian pirate had changed that order, and, suppressing the See of the Isles, had added it as an additional burden to the Bishop of Mann, forgetting that Bishops are not sailors : having shewn how, when a door was opened to them for a return to their primitive state, those Priests who were then, *sede Episcopali vacante*, the Guardians of the Church of Mann, the Church of their forefathers : having shewn, I say, how they, with a bold disregard of the contentions of those, who were quarrelling over the Island prize, rescued their Church from ruin : and not only so, but restored her to that form, which both nature and her Founder had determined : having shewn how the Clergy, when left without a Spiritual Overseer, asserted the Church's independence of civil turmoils ; I will now make a few observations upon the actions of the Bishop, whom in these trying times they had elected. His first care, after he had returned from his Consecration at Avignon, was to hold a Synod of his Clergy, an. 1350, in Kirk Michael, the Episcopal residence : in times of such confusion *without*, it was fitting the Church should look well to her own order *within* : in that Synod five articles were added to the former Canons, those former Canons were explained and confirmed, and the whole discipline of the Church of Mann so ordered, that nothing further was wanting to complete it, till after the Reformation, or as Sacheverell well says, till, "by the destructive knowledge of the Sixteenth Century," and its consequences, that Church having been sinking into a heap of ruins, "Bishop Wilson was sent by Providence to rebuild and beautify, and heal the breaches of so devouring a Reformation."

But to return to the Synod of Bishop Russell : there is nothing more instructive to a Churchman, than to consider

the fortunes of different portions of the Catholic Church, both in prosperity and under adversity, to see how often the former has corrupted her, and how the latter has invariably raised her to her pure and proper dignity; and when we can contract our picture to so small a compass as the Isle Mann, the colours are more distinct, and a child may trace each line. At this time,* An. 1350, the Kings of Norway and Scotland were making agreements for the possession of this Island, while the subjects of either made it a common object of piratical ravages; at the same time the King of England supplied a succession of his English Nobles with men and arms to take it in his name. Here then, were three powerful Kings enabling their unscrupulous subjects to carry fire and sword into the heart of this peaceable but helpless country; but in the midst of fire and sword the Church did not shrink from her task, as the witness of Him, who is her Prophet, Priest, and King, in Heaven.—The Bishop and his Priests met in calm, independent, deliberative Council; and maintaining its decrees, they taught, ministered, and ruled, while the world around them was in wild confusion; and thus have they left their witness to us, that Christ's Church is not of this world, however she may, for the good of the world, incorporate herself into States, whose Rulers are her faithful Sons.

All the antient Canons of the Manks Church, passed in Synod at the three above-mentioned periods, have been transcribed by Dugdale, in his *Monasticon*. After his description of Furnes and Rushen Abbeys, he adds, to use his own words:—"Certain very antient constitutions of the Bishop of Sodor in the Isle of Mann passed in Synod, and never before this committed to print; which, although they be foreign to the direct purpose of this work, yet, for antiqui-

* Vide page 10.

ty's sake, and as a monument under that title sufficiently remarkable, and as a thing acceptable to those studious of matters Ecclesiastical, I determined in this place to bring to light, and to add them to the description of the Abbey in that Island. From an antient Manuscript in the possession of John Selden:—‘*Hæc sunt statuta Synodalia et constitutiones Sodorensis Diocesis in Insulâ de Mann per Reverendum Patrem Simonem, Sodorensem Episcopum, ibidem confecta et constituta A.D. 1239.*’ Here follow thirteen Statutes and Constitutions taken from this MS.: they relate principally to the secular affairs of the Church. Again, from the same MS.:—“*Incipiunt constitutiones Synodales Sodorensis Ecclesiæ in Synodo ordinatæ, celebratæ, et statutæ in Ecclesiâ Sancti Bradani in Manniâ sexto idus Martii A.D. 1291, cui præfuit venerabilis Pater Dominus Marcus, Sodorensis Episcopus.*” Here follow thirty-five Canons or Constitutions, which were evidently framed to settle the discipline of the Island Church. At the end of them are these words—“*Expliciunt statuta Synodalia.*” Then follows, “*Hæc sunt additiones additæ per venerabilem Patrem, Dominum Willielmum Russel, Sodorensem Episcopum, una cum toto clero Manniæ A.D. 1350, in Ecclesiâ Sancti Michaelis Archangeli septimo Calendas Martii.*” Here follow six Canons, additions to the last thirty-five, needed for the guidance of the Church in those troublous times; and, as would be expected from a Church in the season of danger, more purely Ecclesiastical, and less infected with secular matters. At the end are these words—“*Expliciunt additiones Willielmi Russel.*” After William Russel and John Duncan, elected by the *Clergy themselves* in the face of the enemies of their country, “*ad regendum,*” as Jocelinus said, many ages before, of St. Germanus, “*et erudiendum populum in fide Christi;*”

after these two were taken from the Church Militant, Robert Waldbay was elected by the English, Lord of the Isle, an. 1396, after him John Sprotton; John Grene 1452; Thomas Burton 1458; Richard 1483; Huan 1487. Dugdale has preserved the deed of confirmation given to this Bishop, of all his lands and possessions by Lord Derby.—
“Confirmatio Ecclesiarum et terrarum atque libertatum, data, concessa, et facta per nobilissimum dominum Thomam Comitem Derbei, Dominum Stanley, ac Dominum Insulæ de Mann et Insularum Huano Sodorensi Episcopo, suisque successoribus.” In which “confirmation” is given a list of all the parishes and places in the Island, where the Bishop has tythes or land, or Parochial rights. After Huan came Thomas Stanley, he was deprived in Queen Mary’s days, and Henry Man was appointed 1546. Robert Farrier 1554. Thomas Stanley restored in the beginning of Elizabeth’s reign, and died in possession 1570. John Salisbury, John Merrick, George Lloyd, John Phillips, translated the Common Prayer into the Manks language, and the Bible, though the latter is not extant. William Forster, Richard Parr, 1635, died just before the Grand Rebellion.

Samuel Rutter “governed the Church with great prudence,” says Sacheverell, “during the late unhappy Civil Wars.” Isaac Barrow, 1663, was both Bishop and Governor, “a man,” says the same writer, “of a public spirit, and great designs, for the good of the Church, to whose industry is owing all that little learning amongst us, and to whose prudence and charity the poor Clergy owe the bread they eat.” To explain this last sentence of Sacheverell I cannot do better than give an extract from Bishop Wilson’s History of the Isle of Mann.

• “That (through the poverty of the place) the Church may never

want fit persons to perform Divine offices, and to instruct the people in necessary truths and duties, the pious and worthy Dr. Isaac Barrow, soon after the restoration, being then Bishop of Mann, did so effectually make use of his interest with his Majesty, King Charles the Second, and other noble benefactors, that he obtained a grant of one hundred pounds a year, payable out of the Excise for ever, for the better maintenance of the poor Vicars and Schoolmasters of his diocese. And the Right Hon. Charles Earl of Derby, being pleased to make a long lease of the Improvements of the Isle in his hands, which, either as Lord or Abbot, were one-third of the whole tithes, the good Bishop found means to pay for the said lease; which besides an old rent and fine, still payable to the Lord of the Isle, may be worth to the Clergy and Schools about one hundred pounds more. Besides this, he collected amongst the English nobility and gentry (whose names and benefactions are registered and preserved in public tables in every parish,) six hundred pounds, the interest of which maintains an academic master. And by his own private charity he purchased two estates in land, worth twenty pounds a year, for the support of such young persons as should be designed for the ministry. So that the name and good deeds of that excellent prelate will be remembered with gratitude, so long as any sense of piety remains among them."

In order to explain more fully those words of Bishop Wilson, "the Right Hon. Charles, Earl of Derby, being pleased to make a long lease of the *Improvements* in his hands, which, either as Lord or *Abbot*, were *one-third* of the whole Tithes, the good Bishop found means to pay for the said lease," it will be necessary to repeat what I have already twice mentioned, that about the middle of the twelfth century, during the reign of King Olave, "the revenue of the Church was set out after the most Antient and Apostolic manner, viz., one-third of all the Tithes to the Bishop for his maintenance; the second to the Abbey of Rushen, for education of youth, and relief of the poor; the third portion of the Tithes was given to the Parochial Priests for their subsistence." These thirds were not taken

equally from every parish; some parishes were left as Rectories in the hands of the Incumbent; in others the Bishop's, Vicar's, and Monks' thirds changed each year; in the four parishes in the Bishop's gift, nearly the whole of the Tithes are his; again, in others, Rushen Abbey seems to have had, as the Crown now has, nearly the whole; those Clergy, that came under these two last classes, were of course supported by other means, most probably by those good Monks themselves, for they were noted for their charities, and the severity of their lives: but when the Abbey was destroyed in that "devouring Reformation," its charitable possessors driven out into the world, its lands sold, its Church, the resting-place of Kings and Bishops, desecrated, and itself "buried in its own ruins," the Lord of the Isle seized upon that third, which had been held in trust by the Monks *pro bono publico*: when therefore Bishop Barrow came to the See in 1663, he found those poor Vicars, the tithes of whose parishes were in the hands of the Lord, in the greatest destitution; and devoting all his energies to raise them from this state, he found means to purchase a long lease of those Improvements from the then Lord, Charles, Earl of Derby. Thus the Parochial Clergy were put in possession of the third of the tithes, once held by the Abbey in trust, for the *general good*; which was as good an appropriation of those tithes as the Lord's seizure of them, and holding them in trust for *himself*, had been a flagrant impropriation.

Thus it continued till An. 1739, when Bishop Wilson was 76 years of age, at which time the following change, recorded in his life, took place:—

"In the year 1739, the Clergy of the island were thrown into great trouble and perplexity by the death of the Earl of Derby,

who, dying without issue, the Lordship of Man (as a barony in fee) became the property of the Duke of Athol, who had married the heiress of a late Earl of Derby. This had well nigh deprived the Clergy of their subsistence; for the livings of the Isle of Man consist of a third of the impropriations, which had been originally purchased of a former Earl of Derby, by a collection made in the episcopate of Dr. Barrow, in the reign of Charles the Second. At the same time, to strengthen the title, and secure the purchase, *an estate in England, belonging to the Earl of Derby, had been collaterally bound for the payment of the Clergy.*

"Now, on the alienation of the island from the Derby family, the Duke of Athol claimed the impropriations as an inseparable appendage of his estate and royalty, of which it could not be divested by any right that had or could be shewn.

"The deeds of conveyance from the Earl of Derby to Bishop Barrow, by some means or other, had been lost from the records of the island, and the Clergy were in danger of losing all their property; and to such distress were they driven, that unable to contest their rights by law, they would have taken a very trifling consideration for their loss.

"The Bishop, in a letter to his son,* says, 'What we can do with regard to the impropriations I cannot possibly tell; we would be content to take any reasonable consideration, rather than lose all. Lord Derby offered a thousand pounds, a sum very inadequate to the value of the impropriations.'

"In another letter, he says, 'I have little reason to complain of any indisposition but what always attends old age. I preached yesterday at Kirk-Michael church, and am to do so next Sunday; Mr. Christian, of Jurby, died about a week ago, when I served at his church; so that we are sadly put to it for proper persons to serve the churches. The fear of losing the impropriations for ever discouraging parents from educating their children for the Ministry.†"

"This distress was very considerably alleviated by the kindness of the Duke of Athol, who allowed the Clergy to take the impropriations, giving the Duke bonds of indemnification. But this was no permanent security, and in the end might have been

* Dated March 9, 1741.

† Dated St. John Evangelist, 1742.

attended with consequences very fatal to the happiness of their several families, if they could not have recovered their right."

"The Duke of Athol's claim was incontestible; and the deeds which secured the impropriations to the Clergy were lost; nor could Bishop Barrow's will or heir be found. But by the pains and industry of the Bishop, and his son Dr. Wilson, they were at last discovered in the Rolls' Chapel, where they had been deposited *pro salvâ custodiâ*. This put an end to the dispute, and in the year 1745, the deeds were exemplified under the Great Seal of England, and every precaution taken for the future payment of the money."

"HISTORY OF IMPROPRIATE FUND, TAKEN FROM THE BOOK OF ISLE OF MANN CHARITIES.

"By Indenture, dated the 1st November, 1666, made between Charles, Earl of Derby, of the one part, and the Right Rev. Isaac, Lord Bishop of Sodor and Mann, and Jonathan Fletcher, archdeacon, of the other part, reciting, 'that the revenues and ecclesiastical promotions and maintenance for the ministers of the gospel settled within the said Isle of Man are very small; by reason whereof, many of the ministers within the said Isle are enforced to live in mean condition, far unbecoming their callings; and likewise are necessitated, for the gaining and obtaining of a livelihood for themselves and their families, to betake themselves to mean and inferior employments, to the diminution of the honour of their function and profession, and to the prejudice of religion and ecclesiastical government by law established within the said Island, and his Majesty's dominions; whereof the said Right Hon. Earl of Derby, Lord of the said Isle, and the said Right Rev. Father in God, taking notice, and duly considering the great inconveniences arising from the small encouragement and maintenance of the ministers within the said Isle of Man; and for the increase and further augmentation of the maintenance for the ministers of the gospel exercising their functions within the said Isle of Man, at the several churches and cures there, the said Earl and Right Rev. Father in God, the Lord Bishop of Sodor and Mann, have used their great care, and pious and religious endeavours and bounty, as well in their own particular and liberal contributions, as in procuring, upon their Lordships' endeavours and earnest solicitations, other large and bountiful contributions, for the furthering

and encouragement of the same pious and religious works, by the Most Rev. Archbishops, and the Right Rev. Bishops, and other pious and well disposed persons within the realm of England ; by which contribution the sum of one thousand pounds of lawful English money is already paid, for the furtherance and advance of the pious and charitable work above mentioned : '——The said Earl of Derby, for and in consideration of the said sum of one thousand pounds, and of the several yearly rents, reservations, trusts, and agreements, in the said Indenture mentioned, granted, bargained, and sold unto the said Lord Bishop of Mann and Jonathan Fletcher, archdeacon, their exors. and assigns, all that the Rectory of Kk Christ Lezayre and Kk Marown, with their and either of their appurtenances, all that the Rectory of Kk Lonnan with its appurtenances, all that the Rectory of Kk Conchan with its appurtenances, all that the Rectory of Malew with its appurtenances, all that the Rectory of Kk Maughold with its appurtenances, all that the Rectory of Kk Arbory with its appurtenances, all that the Rectory of Kk Christ Rushen with its appurtenances, all that the Rectory of Kk Michael with its appurtenances, all that the Rectory of Kk Santon with its appurtenances ; together with all and singular tenths and tithes of corn and grain, yearly renewing, growing, and increasing within the Rectories abovementioned, and all and singular other tithes and tenths whatsoever :——To hold to the said Right Rev. Father in God, Lord Bishop of Sodor and Mann, and Jonathan Fletcher, archdeacon, their exors. and assigns, for and during the term of 10,000 years next ensuing ;——Yielding and paying to the said Earl of Derby and his heirs, for the said Rectory of Kk Christ Lezayre and Kk Marown, the yearly rent of £14. 16. 6., and also for the Rectory of Kk Maughold the yearly rent of £8. 0. 0., and likewise for the said Rectory of Kk Lonnan the yearly rent of £6. 0. 0., and likewise for the said Rectory of Kk Conchan the yearly rent of £1. 6. 8., and likewise for the said Rectory of Kk Malew the yearly rent of £12. 0. 0., and likewise for the said Rectory of Arbory the yearly rent of £3. 0. 0., and likewise for the Rectory of Kk Christ Rushen the yearly rent of £8. 0. 0., and likewise for the said Rectory of Kk Michael the yearly rent of £8. 0. 0., and likewise for the said Rectory of Kk Santon the yearly, antient, and accustomed rent ;——And also yielding and paying for all the said Rectories tithes and premises,

every thirtieth year, to the said Earl of Derby and his heirs, the rent of £130. 0. 0. lawful English money :———‘ In Trust that the rents, issues, revenues, and clear profits of the said Rectories, tithes, and premises abovementioned, over and above the payment, satisfaction, and discharge of the yearly and other rents hereby reserved, shall be from time to time, and at all time and times hereafter, during the said term, converted, ordered, paid, employed and disposed of, for the increase and augmentation of the maintenance, and better support and livelihood, of the Ministers of the Gospel settled and exercising their functions within the said Isle of Man ; and for or towards the erection of a Free School within the same Isle, or the maintenance of some Schoolmaster or Schoolmasters there, in such sort, manner, and form, and to be paid and distributed for the uses aforesaid, by such proportions, and in such manner, and to such persons, as the said Lord Bishop of Mann, during his continuance in the same see and bishoprick of Sodor and Mann, and the said Jonathan Fletcher, during his continuance in his Eccell. promotion within the said Isle of Man, and afterwards as the several successors of the said Lord Bishop of Sodor and Mann, and Archdeacon of the said Isle of Man, together with two other persons resident and inhabiting within the said Isle of Man for the time being, and to be nominated for that purpose by the said Earl of Derby, or his heirs, under his or their hands and seals respectively, or as any three of them, whereof the Lord Bishop of Sodor and Mann for the time being to be one,—shall yearly think meet and convenient to pay, order, distribute and dispose of the same.’———And the said Earl of Derby covenanted to grant and assure to the said Lord Bishop and Jonathan Fletcher, Lands and Hereditaments within the County of Lancaster, of the value of two thousand pounds, as a collateral and further security for the quiet enjoyment of all the said Rectories and tithes. And the said Earl, in pursuance of the said latter covenant, did, by Indenture of Lease and release, bearing date the 26 and 29 of January, 1666, made between the said Earl of Derby of the first part, the said Isaac, Lord Bishop of Sodor and Mann, and the said Jonathan Fletcher, of the second part, and Thomas Patten, and Thomas Sympson, of the third part,——grant, sell, and release unto the said Isaac, Lord Bishop, and Jonathan Fletcher, and their heirs, all that the Manor of Bispham, in the County of Lancaster,

together with the farm or tenement called Methop ;——To hold the said Manor and farm and tenement, In Trust that they and their heirs should permit the said Earl, his heirs and assigns, peaceably to hold and enjoy the same, until the said Bishop and Archdeacon should be interrupted in the quiet possession of the said Rectories and tithes by the said Charles, Earl of Derby, or any lawfully claiming under him, or James Earl of Derby. And in case the said Bishop and Archdeacon, their exors. or assigns, should be interrupted in the peaceable occupation of the said Rectories and tithes, that then it should be lawful for them to re-enter into the said manor of Bispham, and tenement called Methop, and the rents thereof to receive, until they should have thereby recovered such sums of money as should sufficiently satisfy all losses, damages, and expenses, by reason of such interruption.

“ On the death of James, Earl of Derby, in the year 1735, James, Duke of Atholl, took possession of the Lordship of Man, and of the Rectories and tithes comprised in the said Indenture of the 1st of November, 1666, claiming the same as heir-at-law of James, Lord Stanley. Whereupon Thomas Wilson, Lord Bishop of Sodor and Mann, and John Kippax, archdeacon, in the month of November, 1742, exhibited their Bill in the High Court of Chancery, against Edward, then Earl of Derby, James, Duke of Atholl, and Isaac Clapton, the personal representative of Bishop Barrow ; praying, on behalf of the Clergy and Schoolmasters, that they might be decreed to have the benefit of the said Collateral Security. And the said Edward, Earl of Derby, filed his Cross Bill, to establish a title to the said Isle, Rectories and tithes : ——which causes were heard before Lord Chancellor Hardwick, on the 12th, 13th, and 15th days of July, 1751, who dismissed the Cross Bill, so far as it sought to impeach the Duke of Atholl's title to the said Isle of Man, and to establish the said Lease for ten thousand years, made on the 1st November, 1666. ——And as to the relief sought for by Lord Derby's Bill, touching the estate and lands in Lancashire, comprised in the Collateral Security ; and as to the demand made against the said Collateral Security by the Clergy, in the original Bill ;——it was referred to a Master to inquire when the Clergy were evicted of the tithes in question by the Duke of Atholl, and from what time they ceased to receive the rents and profits thereof. And the Master was to

take an account of the tithes which had accrued since the eviction of the Clergy ; and also to take an account of the rents and profits of the estate in Lancashire, comprised in the Collateral Security ; and to compute the annual value of the Rectories and tithes for the time to come : and so much as the Master should compute to be the annual value thereof, should be paid by Lord Derby, for the time to come, to the Bishop and Archdeacon yearly, upon the trusts in the said demise ; with liberty to apply to the Court to enforce payment thereof.—In pursuance of the said decree, Master Eld made his Report, dated 7 July, 1767. And by a subsequent order made in the said causes, (11 May, 1768,) it was ordered, that upon the Earl of Derby's consenting to pay to Hugh Hammersley, gent., by the consent of the Bishop and Archdeacon, to be disposed of and paid by them, according to the directions of the said decretal order, the sum of £1,132. 11s. 0d. sterling, the clear amount, settled by the said Master's Report, of the damnification sustained by the Clergy down to Easter, 1761 ; (after deducting the sum of £1,442. 15s. 9½d., before paid by the said Earl of Derby, pursuant to an order made the 2d of August, 1760 ;) and also the sum of £1,087. 1s. 10½d. sterling, the amount of the clear yearly value of the said Rectories and tithes for five years, from Easter, 1761, to Easter, 1766, at the rate of £217. 8s. 4½d. a year ; and also the further sum of £430. 15s. 9d. sterling, being the amount of the clear yearly value of the said Rectories and tithes for the two succeeding years, from Easter, 1766, to Easter, 1768, at the yearly rate of £219. 7s. 10½d. :—and upon the said Earl of Derby's undertaking to pay to the Bishop and Archdeacon of the said Isle the said yearly sum of £219. 7s. 10½d. sterling, on every Easter Monday, at the Town-hall, in Liverpool, the said Earl of Derby should be continued in the possession of the said manor and farm, called Bispham and Methop, subject to the further order of the Court.

“The said yearly sum of £219. 7s. 10½d. was regularly paid up to Easter, 1809 : when a Bill of Revivor was filed by Claudius, Lord Bishop of Sodor and Mann, and the Rev. Daniel Mylrea, Archdeacon, against Edward, Earl of Derby, and Sir Vicary Gibbs, Attorney General, the said Isaac Clapton having departed this life without heirs, and without devising his legal estate in the premises : ———and after various proceedings had in the said cause, arti-

cles of agreement, dated the 16th day of February, 1811, were entered into between the said Earl of Derby of the first part ; John, Duke of Atholl, of the second part ; and Edward, Lord Stanley, Claudius, Lord Bishop of Sodor and Mann, Daniel Mylrea, archdeacon of the said Island, William Scott, Receiver General, and John Cosnahan, Esqrs., which said William Scott and John Cosnahan had been appointed Trustees by the said Duke of Atholl, for the purposes mentioned in the said Indenture of the 1st November, 1666, and the Vicars General, and the Vicars of the different parishes of the said Island, of the third part : ——— by which it was agreed, to prevent further litigation, that the sum of sixteen thousand pounds sterling should be paid by the said Earl of Derby ; and that the said manor and farm called Bispham and Methop, should be discharged from the payment of the said annual sum of £219. 7s. 10½d. And an Act of Parliament of the 51 Geo. the 3, cap. 207, was obtained to confirm the said agreement : by which it is enacted, that the said sum of £16,000. should be paid into the Bank of England, to the credit of the Bishop of Sodor and Mann, and the Archdeacon of the Isle of Man, for the time being, in the name and with the privity of the Accountant General of the said Court of Chancery ; and that as soon as conveniently may be thereafter the same shall, upon petition, to be preferred in a summary way by the Bishop of Sodor and Mann, and the Archdeacon, for the time being, be laid out and invested in the purchase of Freehold Messuages, Lands, and Heredit., situate in England, or of Freehold or Customary Messuages, Lands, and Heredit., in the Isle of Man, which shall be approved of by the said Court of Chancery ; and that such purchases shall, under the direction of the said Court, be conveyed unto, or to the use of, or vested in, the Bishop of Sodor and Mann, and the Archdeacon of the Isle of Mann, for the time being, and their successors ; upon trust to pay and apply the rents and profits thereof, upon such and the same trusts, for such and the same purposes, and in such and the same manner, as by the said Indenture of the 1st. of November, 1666, are declared of and concerning the respective Rectories and tithes therein mentioned and demised. It shall be lawful for the Bishop of Sodor and Mann and Archdeacon of the said Isle, by Indenture under their hands and seals, to demise or lease all or any part or parts of the said lands, so to be purchased, for any term not ex-

ceeding twenty-one years, in possession for the best yearly rent that can be reasonably had for the same ; and so as in every such lease there be contained a clause of re-entry, in case the rent thereupon to be reserved be unpaid by the space of twenty days ; and so as the lessee do seal and deliver a counter-part of such lease.

" Until a proper purchase can be found, the said sum of £16,000. shall from time to time be invested, under the directions of the Court of Chancery, in the purchase of Exchequer Bills, &c.

" It shall be lawful for the Court of Chancery, on petition to be presented for that purpose by the Bishop of Sodor and Mann, and Archdeacon, to direct any part of the said Exchequer Bills, &c., not exceeding £219. 7s. 10½d. per ann. to be paid to the said Bishop and Archdeacon, to be by them paid over to the persons who would for the time being be entitled to the yearly rents of the said hereditaments, if the same had been purchased.

" Estimated annual value of the Improprate Tithes in the Isle of Man, subjoined to the said Act of Parliament :—

	£.	s.	d.
" Net annual produce.....	663	8	0
" Twenty-five years' purchase upon the net annual produce of the Improprate Tithes, amounts } to.....	16576	0	0."

Thus, through the exertions of their aged Bishop, the Clergy of the Isle of Mann recovered from the Estate of the Earl of Derby, which had been collaterally bound for their payment, what was at that time considered an equivalent for the tithes purchased by Bishop Barrow ; namely, £219 per annum : but, as Lord Derby had granted to Bishop Barrow " all tenths yearly renewing, growing, and *increasing* within the Rectories " mentioned in the Indenture, Bishop Crigan, in 1809, demanded a revisal, in consideration that since 1735 the said tenths had "*increased*" greatly ; and upon investigation the net annual amount of them was found to be £663, for which sum the Clergy were only receiving from Lord Derby's estate, as an equivalent, £219. Lord Derby, therefore, agreed to pay somewhat under twenty-five years' purchase upon that £663, viz. £16,000 ;

that his estate might be released from the annual payment, this £16,000 was laid out upon very unwise purchases of land, which return now only £400 per annum, these purchases, however, were made at the request of the Clergy themselves, and therefore cannot be complained of by them; but the hardness of the case was, that while the Lay Impropiator was reaping all that "*increase*" in the tithes, which had been expressly granted by Lord Derby to Bishop Barrow for the Clergy, they, the Clergy, were for ever fixed by an arbitrary standard, taken in 1809; from that date whatever "*increase*" might take place in those tenths, purchased for them by their good Bishop, they were not to benefit by such "*increase*," as the Lord Derby, who gave the collateral security on his estate, expressly said they should; but the Lay Impropiators; the Duke of Atholl, and those to whom he had sold part of these tithes. Now then, we are arrived at the present day; and how does the case stand? Before he sold any portion of these Improprate tithes to the Crown, the Duke of Atholl had sold one half of them to different persons; but that *half* which he sold to the Crown amounts now to upwards of £800 per annum, more by £200 than the *whole* sum upon which the twenty-five years' purchase was calculated in 1809; so that supposing the Clergy to be now receiving an equivalent for the full amount of £663 per annum, which they are not, but supposing it, they are even in this case receiving £200 per annum less than the *half* of that which Bishop Barrow purchased for them. Now I do say, that I have made out a fair claim, if not on the justice, certainly on the generosity of the Crown, on behalf of the Manks Vicars: the Crown by purchase has become the Impropiator of the half of those tenths originally sold in 1666 by Lord Derby to Bishop Barrow; the other half

is sold to various private persons ; the Clergy, instead of receiving the whole £1600 per annum, are not receiving any thing like the half of that sum : had Bishop Wilson accepted a commutation of Lord Derby, in 1736, the twenty-five years' purchase would, as I find by a document of that date, have been calculated upon an average of £104 per annum ! and this would have been received in 1837 as equivalent for what amounts to £1600 per annum ! But Bishop Wilson was not so improvident, the commutation was not made with the Clergy till 1809, and then the tenths which in 1736 amounted to £104 per annum produced £663. At that average then the twenty-five years' purchase was calculated and fixed for ever ; and this is received in 1837 as an equivalent for what amounts to much more than double that sum ! Again, thirty years hence every one, who knows the Isle of Mann, knows this £1600 will be again doubled ; yet while all around them are improving with the times, the poor Clergy will still in 1867 be fixed, as they are in 1837, to the low standard of 1809 : the case would have been only a few degrees harder had they been fixed in 1736 ; the hard *principle* of the case is the same at whatever date it could be fixed, whether in 1736, in 1809, in 1837, or in 1867. Nor was this commutation forced upon the Clergy under any plea of encouraging *improvement in agriculture* ; the tithes have still been rigidly collected, receiving a yearly increase, by the Lay Impropriator : the Clergy, therefore, have been defrauded of all improvements upon their property for the sole purpose of relieving the estate of an English Nobleman from a tax laid upon it by his forefather, and liable to which he inherited it. The Earl of Derby seized the tithes of Rushen Abbey ; his heir *sold* to Bishop Barrow for the poor Clergy all these tithes "yearly growing and *increasing*," and "as

a collateral and further security for the quiet enjoyment of all the said tithes," he did grant to the Bishop certain farms, to be held by the Earl and his heirs "until the said Bishop should be interrupted in the quiet possession of the tithes by the said Earl, or any lawfully claiming under him." The Duke of Atholl, in 1739, did lawfully claim under him, and the law allowed his claim, and ejected the Clergy from the quiet possession of these tithes: they came upon the collateral security, and as an equivalent for a revenue which was, and is "yearly growing and increasing" they received a fixed sum, an average of £600 per annum, as an equivalent for what is now £1,600, and in thirty years will be £3,200. The Crown is by purchase the heir of the Duke of Atholl, and is in possession of £800 per annum and upwards of these very tithes. I do say, therefore, that the poor Vicars of the Isle of Mann have a claim upon the generosity of the Crown of England.

	A. D.	£.	Received by Clergy. £.
Amount of tithes sold by Lord Derby to } Bishop Barrow in the year	1736	104	104
Ditto valued, and equivalent fixed in.....	1758	219	219
Ditto revalued, and equivalent again fixed	1809	663	663
Value of ditto in	1837	1600	663
Probable increase in.....	1867	3200	663*

But to return to the history; when Bishop Barrow was, to the great loss of this Island, removed to St. Asaph, he was succeeded by Henry Bridgman, to whom succeeded John Lake, translated to Bristol, 1684, he was one of the seven Bishops committed to the Tower, and afterwards,

* The Clergy do not *actually* receive this £663, but only about £400: as this, however, has been through their own improvidence, I give the full amount of what the commutation granted them.

maintaining his allegiance to King James, was deprived. To him succeeded Baptist Levinz. Who was followed by that great Prelate, that learned Doctor, and holy Confessor, Bishop Wilson: his "praise is in all the Churches," it is needless therefore in this place to enlarge upon those "untold benefits," which not only this See, but "the whole Church has derived from his labours." Whether we consider him *sacris privatis*, in his study, in his family, in the cottage of the poor, in his pulpit, in his high Episcopal Ministrations, in the Synod of his Diocese, in the Court of England, or in Prison, he is, in all, the same admirable Bishop.*

* "In summing up the character of this truly great man," says one of his Biographers, "every part of his life affords a display of the most genuine charity and benevolence. Whether we consider him as a son, a husband, a parent, a master, or a Bishop, we shall find few equal,—no one superior to him.

"Having the precepts of his divine Master constantly before him, with the Lives and Writings of the Apostles and primitive Christian Fathers; he from them laid down his plan of life, and steadily copied their example.

"There is scarcely a part of human science that could be valuable or serviceable to his diocese, which he did not understand. He was well acquainted with the Latin, Greek, and Hebrew Languages.

"He had studied and he practised Physick with success. For some time after he settled there he was the only physician in the island; keeping a shop of drugs for general use, which he distributed, as well as his advice, gratis; but when some Gentlemen of the Faculty came to settle on the island, he gave up to them that part of the practice which alone could conduce to their emolument—attendance on the rich, but the poor he kept always to himself.

"He instructed young Candidates for Orders, and maintained them in his house under his own immediate care; nor did he ordain them, until he found, on a strict and careful examination, that they were perfectly qualified.

"He was an able Mathematician; an excellent Botanist; and if we view him as a Farmer, we find, that by a judicious and successful cultivation, from the ecclesiastical demesnes (which before his coming to the island produced little or nothing) he in a few years fed and clothed the poor of his diocese. The whole was a sheep-walk, but by tillage and manure, it bore excellent corn; and his coffin was made from one of the

I have already mentioned his struggle to secure the temporalities of his Clergy. Another of his public actions I

elm-trees that he planted soon after his coming to the island, which was cut down and sawed into planks for that purpose a few years before his death.

“ He was so charitable, that it was not unaptly observed by a Gentleman of the island who knew him well, that ‘ he kept beggars from every body’s door but his own.’

“ He always kept an open hospitable table, covered with the produce of his own demesnes, in a plentiful not extravagant manner. As the friendly host or master of that table, he was the most entertaining and agreeable, as well as instructive of men ; his manners, though always consistently adorned with Christian gravity, were ever gentle and polite ; and from his natural sagacity, and distinguished erudition, he seemed to have the world in his possession. He was the Divine, the Scholar, and the Gentleman.

“ In the year 1750, Dr. Pocock, after his return from his travels, went to see the Bishop of Man, and sent him his Works, handsomely bound, to announce his arrival. The Bishop received him with a graceful welcome ; but told him, he ought not to address the poor Bishop of Man with a present as to an Eastern Prince.

“ Cardinal Fleury wanted much to see him, and sent over on purpose to inquire after his health, his age, and the date of his consecration ; as they were the two oldest Bishops, and he believed the poorest, in Europe ; at the same time inviting him to France. The Bishop sent the Cardinal an answer, which gave him so high an opinion of him, that he obtained an order that no French privateer should ravage the Isle of Man.

“ He often on a Sunday visited the different parishes of his diocese without giving them notice ; and, after doing the duty of the day, returned to Bishop’s-Court to dinner ; and this after he was eighty years of age on horseback. This was a constant obligation on the clergy and the people to be mindful of their duty. And four times in every year he made a general visitation, enquiring into the behaviour and conduct of all the parishioners, and exhorting them to the practice of religion and virtue. And at his annual Convocations, he delivered his Charges with the divine pathos, grace, and dignity of an inspired Apostle.

“ He was so great a friend to toleration, that the Papists who resided in the island loved and esteemed him, and not unfrequently attended his sermons and his prayers. The Dissenters too attended even the Communion-Service, as he had allowed them a liberty to sit or stand ; which, however, they did not make use of, but behaved in the same man-

must mention, as I shall have occasion to make use of it in another place. When in 1698 he was made Bishop, he

ner with those of the established Church. A few Quakers who resided on the island visited, loved, and respected him.

“ He was so fond of his flock, and so attached to his diocese, that no temptation could seduce him from their service, no offers could remove him.

“ I have already mentioned that Queen Anne would have given him an English Bishoprick ; King George the First made him the same offer ; and in the year 1735, Queen Caroline was very desirous of keeping him in England ; but though he was much bound to her Majesty’s goodness, he would not be persuaded. One day, as he was coming to pay his duty to the Queen, when she had several Prelates with her ; she turned round to her levee, and said, ‘ See here, my Lords, is a Bishop, who does not come for a translation.’ ‘ No, indeed, and please your Majesty,’ said our good Bishop, ‘ I will not leave my wife in my old age because she is poor.’

“ He never interfered in temporal or political concerns, unless when called upon at the request of the inhabitants to serve them on particular occasions. The whole conduct and every action of his life shewed him to be no otherwise a man of this world, than as a Minister to do good to his fellow-creatures, while living in it ; and the people of the island were so thoroughly persuaded of his receiving a larger portion of God’s blessing, that they seldom began harvest till he did ; and if he passed along by the field, they would leave their work to ask his blessing, assured that that day would be prosperous. Nor was this opinion confined to the obscure corner of the world where he resided ; in Warrington, nay, in London, there are those now living who can remember crowds of people flocking round him with the cry of ‘ Bless me too, my Lord !’

“ The charities he bestowed himself, and the contributions he obtained of others, are proofs of his munificence and the benevolence of his disposition.

“ The Author of an *Appeal to Common Reason and Candour*, in behalf of a review of our Liturgy, published in the year 1750, having taken notice of the state of Christianity in the North of Scotland, and in some parts of Ireland, proceeds thus :—

“ ‘ It will be unpardonable, after these, to mention the Isle of Man in any other expressions than those of gratitude and praise, delight and joy. Happy island ! May thy worthy Bishop live, and continue with the assistance of his God, to make thee an example of religion and holiness to all Islands and Kingdoms of the world ! May his works also live, and the good effects of them continue to a thousand generations ! When he has been long dead, he will yet speak ; and the happy influ-

found his Church, as Sacheverell says, from the necessary consequences of “the destructive knowledge of the six-

ence of his works will remain in this world, whilst he is enjoying the glorious reward of them in another. May I live the life, and die the death of that righteous Man ; and may my latter end and state of eternity be like his !’

“ Thus, by living a sober, righteous, and godly life, this excellent Divine attained to the ninety-third year of his age, and the fifty-eighth of his consecration, and gently expired on the 7th March, 1755.

“ The immediate cause of his death was a cold caught by walking in his garden in very cold damp weather, after Evening Prayers ; dying as he lived, praising God in Psalms, and detached sentences of the Te Deum.

“ The tenants about his demesnes were the persons appointed to bear the Bishop to his grave ; and each had a mourning coat given to him for the occasion : But from the Palace to the Church, which is a distance of two miles, he was attended by all the inhabitants of the island as mourners, except those whom necessity, age, or sickness, confined at home ; and at every resting-place was a contest among the croud, to bear him on their shoulders ; and happy were they who could pay this last sad office to their friend and benefactor.

“ He was interred at the east end of Kirk-Michael Church-yard, near to the Chancel, which being in a ruinous condition, was taken down and entirely rebuilt in the year 1776, at the sole expence of Dr. Thomas Wilson, the Bishop’s son.

“ Over his grave is placed a square marble monument, surrounded with iron rails, through which may be read the following too modest inscription :

‘ ON THE SIDES.
SLEEPING IN JESUS,
HERE LYETH THE BODY OF
THOMAS WILSON, D. D.,

LORD BISHOP OF THIS ISLE,
Who died March the 7th, 1755, Aged 93, and in the Fifty-eighth Year of
his Consecration.

‘ AT THE ENDS.
THIS MONUMENT WAS ERECTED
BY HIS SON, THOMAS WILSON, D. D.,

A NATIVE OF THIS PARISH,
Who, in Obedience to the *express Commands* of his Father, declines
giving him the Character he so justly deserved.

LET THIS ISLAND SPEAK THE REST.’
“ And so it will ! When turning to the stranger, or their children, the

teenth century, fast sinking into a heap of ruins," and anxiously did he cast about, seeking how best he might rebuild and beautify her walls, "and heal the breaches of so devouring a Reformation;" and, under God, he found the power for that work nowhere, but in the return to *first principles*: following therefore the example of the greatest Bishops of the Catholic Church, as also of his own predecessors in the Isle of Mann, of Simon, An. 1239; of Marcus, An. 1275; but more especially of William Russel, An. 1374; he held a Synod at Bishop's Court, An. 1703; where, together with his Clergy, he so settled the order and discipline of the Church, that nothing has since been wanting but a vigorous executive.

"ECCLESIASTICAL CONSTITUTIONS.

"INSULÆ MANNIÆ.

"At a Convocation of the Clergy, at Bishop's Court,
3rd Feb., 1703,

"In the name of our great Lord and Master, the Lord Jesus Christ, and to the glory and increase of His kingdom among men:

"We, the Bishop, Archdeacon, Vicars-General, and Clergy of this Isle, who do subscribe these Articles, that we may not stand

grateful Manksmen will relate a tale of the wondrous goodness of their dear, their much-loved, much-lamented Bishop. Telling them, (and witnesses they were) whose hunger he had satisfied; to whose thirst he had given drink; what strangers he had relieved; whose nakedness he had clothed; whose sickness he had administered to; and what prisoners he had visited.

"The widow, comforted by his bounty, with her lisping orphans, shall declare the praises of their pious benefactor.

"And perhaps some faithful Minister of the Gospel may conclude the story, by saying that he was a Bishop 'blameless as the steward of God; not self-willed, not soon angry, not given to wine, no striker, not given to filthy lucre; but a lover of hospitality, a lover of good men, sober, just, holy, temperate; holding fast the faithful word as he had been taught; and that he was able by sound doctrine, both to exhort and to convince the gain-sayers.'"

charged with the scandals, which wicked men bring upon religion, while they are admitted to, and reputed members of Christ's Church; and that we may by all laudable means promote the conversion of sinners, and oblige men to submit to the discipline of the Gospel: and, lastly, that we may provide for the instruction of the growing age in Christian learning and good manners: We have formed these following Constitutions, which we oblige ourselves (by God's help) to observe; and to endeavour, that all others within our several cures shall comply with the same."

Here follow ten Constitutions, providing for the discipline and instruction of the Church; and at the end of them are these words:—

"Now, forasmuch as *some* of the Orders and Constitutions, in this Synod agreed unto, are such as do require the Authority of the Civil Power to make them effectual to the ends they are designed; the Bishop and Archdeacon are earnestly desired to procure confirmation from the Lord, his Council, and the twenty-four Keys, to the glory of God, and welfare of his Church.

"And for the better government of the Church of Christ, for the *making* of such Orders and Constitutions as *shall from time to time* be found wanting; and that better enquiry may be made into the execution of those that are in force; there shall be (God willing) a Convocation of the whole Clergy of the Diocese, on Thursday in Whitsun-week every year after this, at the Bishop's Chapel, if his Lordship be within this Isle, or as soon as conveniently after his return.

"And that by these Constitutions we may more effectually oblige ourselves and others, we do each of us subscribe our names.

"THOMAS, SODOR AND MAN,
ET CÆTERI."

"At a Court of Tynwald, holden at St. John's Chapel,
4th Feb., 1703:

"The above Constitutions being this day offered by the Lord-Bishop and Archdeacon of this Isle, unto us the Governor, Officers, and twenty-four Keys, for our approbation; and having perused the same, we do find them very reasonable, just, and necessary;

and do therefore approve of, and consent to them, *as far as concerns the Civil Power.*

“ROBERT MAWDESLEY, Governor,
ET CÆTERI.”

“I am well pleased with the before Constitutions, and do confirm the same, and require that they be published at the next Tinwald-Court in usual manner.

“DERBY.”

“These Constitutions,” says his Biographer, “planned and framed by his Lordship, will afford and exhibit to the world a specimen of that primitive discipline, which existed in this Diocese during his Lordship’s Episcopate, and long after; superseding virtually the preface to the Communion Service. Lord Chancellor King was so much pleased with these Constitutions, that he said, “If the ancient discipline of the Church were lost, it might be found in all its purity in the Isle of Man.”

Such was the groundwork, which Bishop Wilson laid for the government of his Island Church, and through his long Episcopate of fifty years he relaxed not in the smallest point of discipline here laid down, as his Charges, delivered in Convocation “every Thursday in Whitsun-week,” abundantly testify, as also do the records of his actions. And when he was gone to his rest, Bishop Hildersley worthily succeeded him: but when that Bishop came to the See in 1755, he found that Church, which fifty years before the then Governor of the Island had described as fast “falling into ruins,” rebuilt and beautified, her breaches healed, and her discipline reformed; so that nothing was left for Bishop Hildersley, but to preserve and strengthen those things, which he found.

His Biographer says, that, “he made it the great and invariable rule of his conduct, through his whole Episcopate, to tread as nearly as possible in the steps of his ex-

cellent predecessor." On his coming to the Diocese, he undertook the arduous task of getting the Scriptures translated and printed in the Manks language; a work which had been begun by Bishop Wilson.—

"At first he only printed the New Testament, the Common Prayer, the Christian Monitor, Lewis's Catechism, and Bishop Wilson's Form of Prayer for the Herring Fishery; but the benefactions coming in beyond his expectations, he was encouraged to set on foot a translation of the Old Testament entire, which, with the assistance of his Clergy, he also happily accomplished. The Clergy of the Island were particularly active in this good work, apportioning out their several parts, which they finished with zeal and judgment.

"Bishop Hildersley had this work so much at heart, that he often said, 'He only wished to live to see it finished, and then he should be happy, die when he would.' He received the last part of the Bible on Saturday, the 28th of November, 1772, and emphatically sung his *Nunc Dimittis* in the presence of his family; and next day, in the evening, after family prayers, he preached a lecture on the uncertainty of human life, how many instances were constantly happening in which people were deprived of their senses in a moment: Thus, in a prophetic manner, foretelling his own death; for on Monday, after dining cheerfully at Bishop's-Court with his family and one of his Clergy, he was seized with a stroke of the palsy, which in a moment deprived him of his senses, and in this situation he remained till the Monday following, when he died.

"According to his own desire he was buried as near his predecessor as could be, wishing to be united in death with that man, whose example he had endeavoured to imitate while living."

It is impossible to describe the state of the Church of Mann so well, as in Bishop Wilson's own words:

"There is nothing more commendable than the discipline of this Church.

"Publick baptism is never administered but in the Church, and private as the rubrick directs.

"Good care is taken to fit young persons for confirmation, which all are pretty careful to prepare themselves for, lest the want of being confirmed should hinder their future marriage; confirma-

tion, receiving the Lord's Supper, &c. being a necessary qualification for that state.

" Offenders of all conditions, without distinction, are obliged to submit to the censures appointed by the Church, whether for correction or example (commutation of penances being abolished by a late law) and they generally do it patiently. Such as do not submit (which hitherto have been but few) are either imprisoned or excommunicated ; under which sentence, if they continue more than forty days, they are delivered over to the Lord of the Isle, both body and goods. In the mean time, all Christians are frequently warned not to have any unnecessary conversation with them ; which the more thoughtful people are careful to observe.

" The Bishop and his vicars-general having a power to commit such to prison as refuse to appear before them, there is seldom occasion for passing this sentence for contumacy only ; so that people are never excommunicated but for crimes that will shut them out of heaven ; which makes this sentence more dreaded.

" Before the beginning of Lent (which is observed here with great strictness) there is held a court of correction, where offenders, and such as have neglected to perform their censures, are presented, and if there are many, or their crimes of a heinous nature, they are called together on Ash-Wednesday, and after a sermon, explaining the design of Church Censures, and the duty of such as are so unhappy as to fall under them, their several censures are appointed, which they are to perform during Lent, that they may be received into the Church before Easter.

" The manner of doing penance is primitive and edifying. The penitent, clothed in a sheet, &c., is brought into the Church immediately before the Litany, and there continues till the sermon be ended, after which, and a proper exhortation, the congregation are desired to pray for him in a form provided for that purpose ; and thus he is dealt with, till by his behaviour he has given some satisfaction, that all this is not feigned ; which being certified to the Bishop, he orders him to be received by a very solemn form for receiving penitents into the peace of the Church.

" But if offenders, after having once done public penance, relapse into the same or other scandalous vices, they are not presently permitted to do penance again, though they should desire it ever

so earnestly, till they shall have given better proofs of their resolution to amend their lives; during which time, they are not permitted to go into any Church in time of divine service, but stand at the Church-door, until their Pastor and other grave persons are convinced by their conversation that there are hopes of a lasting reformation, and certify the same to the Bishop.

"There is here one very wholesome branch of Church Discipline; the want of which, in many other places, is the occasion that infinite disorders go unpunished; namely, the injoining of offenders purgation by their own oaths, and the oaths of compurgators (if need be) of known reputation, where the same is common, the crime scandalous, and yet not proof enough to convict them; and this is far from being complained of as a grievance: for if common fame has injured any person, he has an opportunity of being restored to his name, (unless upon trial the court find just cause to refuse it;) and a severe penalty is laid upon any that shall after this revive the scandal. On the other, if a man will not swear to his own innocency, or cannot prevail with others to believe him, it is fit he should be treated as guilty, and the scandal removed by a proper censure.

"In order to secure the discipline of the Church, the Bishop is to call a Convocation of his Clergy at least once a year; the day appointed by law is Thursday in Whitsun-Week, (if the Bishop be in the Isle;) where he has an opportunity of enquiring how the Discipline of the Church has been observed, and, by the advice of his Clergy, of making such constitutions as are necessary for its better government."

Such was the state of the Manx Church, and such its internal power of maintaining its own discipline, when Bishop Hildersley died. To him succeeded Bishops Richmond, Mason, and Crigan. Somewhere during this period a great blot fell upon the Diocese, and complaints were made, not without good reason, by Bishops in England, that unworthy men, unconnected with the Island, were admitted into Holy Orders, to the great disgrace and injury of the Church at large. When therefore Bishop Murray was appointed by his Uncle, the Duke of Atholl, he found

his Diocese suffering under this imputation; one of his chief cares therefore was to retrieve its character in this respect; and this he did most effectually; and shewed, that it was the fault, not of the peculiar position of the Diocese, but of the Bishop, if any inconvenience arose in England from the ordinations in that Island. Bishop Murray also purified the Ministry of several Priests, whose lives had been a scandal to their holy Order, and to the Church in which they served; this he did by suspending some and degrading others: a necessary discipline, which cannot be enforced in England with the same promptitude, that it is in the Diocese of Mann. The Bishop also upon coming to the See had found great irregularities practised in some of the Churches, and a general carelessness pervading by far too large a proportion of the Clergy; though, as might be expected, in many, the spirit of Wilson was not yet extinct; as witness, for one bright exception, his venerable Biographer, the pious, eloquent, and lamented Rector of Ballaugh, the Rev. Hugh Stowell. These irregularities, and this carelessness, however, when the Bishop was translated to Rochester, had vanished from the Churches, than in which, I will venture to affirm, the services of the Church are not more solemnly performed, or so strictly in conformity with the Rubric, in any Diocese in England. In 1827, the Bishop was translated to Rochester; and the patronage of the Bishoprick having been in the meanwhile sold to the Crown, Lord Ripon being then Prime Minister, recommended Dr. Ward to his Majesty to fill the vacant See. Concerning what has been done during the nine years of his Episcopate, perhaps the better way would be, to repeat the Bishop's own words in a Memorial, addressed by him last year to the Ecclesiastical Commissioners of England and Wales:—

"It was impossible for the preceding Bishops to find means for the building of Churches, equal to the extraordinary increase of the population, before the attention of the English public had been, as it now is, generally drawn to the subject: notwithstanding therefore the exertions of my predecessors, when I came to the See nine years ago, I found that the population of the Island had increased so rapidly, having more than doubled itself since the time of Bishop Wilson's death, that local means were wholly inadequate to furnish the necessary Church accommodation: I had recourse, therefore, to English charity, and succeeded in raising funds sufficient for the building and rebuilding of eleven new Churches and Chapels.* A proposition also made by me for a more extensive application of the funds arising from the trust estate left by Bishop Barrow, met with cordial assent, and a vigorous co-operation on the part of my co-trustees, and the principal gentlemen of the Island, the consequence of which was the establishment of a College upon the estate, which his Majesty has graciously permitted to be called "King William's College;" it already contains nearly 200 students. I mention these circumstances, which refer to myself, because I am well assured, that if any benefits have accrued, or are likely to accrue to the Isle of Mann from any exertions made by me, those benefits are the necessary consequence of my *personal* superintendence, and freedom from other duties: had I been resident in Carlisle, encumbered with the cares of that Diocese, and with parliamentary duties, none of those works (even had they been projected) could have been carried into effect. The same causes also must have operated to have diminished the exertions of Bishops Barrow, Wilson, Hildersley, and all the other Bishops of that Island, had this annexation taken place before their day: Bishop Wilson's government could not, in that case, have called forth that eulogium of the Lord Chancellor King, that 'if the ancient discipline of the Church were lost, it might be found in all its purity in the Isle of Mann.'"

* There are now, and have been for some time, through the blessing of God upon the Bishop's constant exertions, and "*personal* superintendence," ten active efficient Clergymen working in that small Diocese, in addition to the number which he found there on first taking possession of the See.

The following statement of Lord Teignmouth, who has lately visited the Island, made with his Lordship's usual accuracy, may serve as a comment upon the Bishop's words.*

"1829.—The Churches of the Island are notoriously small and poor, usually without a tower. It is stated in a late *Appeal to British Christians in behalf of the poor Churches in the Diocese of Sodor and Mann*—

" 'That for 4000 of the poor in the town of Douglas, there is not sitting in any church of the establishment, and most of the respectable class, next above the poor, are also excluded. In several of

* I will not apologize for thus making public so many particulars of the present administration of the Diocese of Sodor and Mann. This account has been written for the purpose of shewing, among other things, the advantages, both temporal and spiritual, resulting to the people of the Isle of Mann from the presence of their own Bishop within their own shores, and how other advantages result to them, even when he is absent in England, from the fact of his having no other interests to advance, no other people for whose good to exert his influence, and no other Episcopal duties requiring his attention. Since the present Bishop took possession of the See, one-third of his time has been passed in England, to which Country he has been called at one time by family affliction, and on the present occasion by the loss of sight; but he has never yet returned to his Diocese empty handed, although, as he says in his Memorial, he has "always found it exceedingly difficult and inconvenient to exercise an efficient control over" his "Diocese during" his "occasional absence in England;" yet being "intimately acquainted with all its peculiar circumstances, and free from all other Episcopal duties," his zeal, of which I would not have spoken unless driven to do so by circumstances, but which has never relaxed or deviated one iota from its single object, the elevation of his Island Church; his zeal, I say, has had its free course, which it would not have had, had his mind been burdened with the Episcopal cares of two whole Counties, such as compose the Diocese of Carlisle; and had his attention, moreover, been distracted by the important responsibility of representing the interests of the Church in Parliament. Of all this he himself must be the best judge; and he declares publicly, "I am well assured, that if any benefits have accrued, or are likely to accrue, to the Isle of Mann, from any exertions made by me, those benefits are the necessary consequence of my *personal* superintendence, and freedom from other duties. Had I been resident in Carlisle, encumbered with the cares of that Diocese, and with Parliamentary duties, none of those works (even had they been projected), could have been carried into effect."

the parishes, containing from 1200 to 1600 inhabitants, there are not sittings in the parish churches for more than 400 or 500 persons ; and some of those churches are in such a dilapidated state, that they cannot long afford even the wretched accommodation which they afford at present.' The exclusion of the Isle of Mann from the benefit of the public funds for the erection and enlargement of churches in Great Britain is pleaded in support of the appeal. The present Bishop has already directed his attention to the maintenance and elevation of his church, by endeavouring to remedy the defects in the incomes and education of the Clergy, and in the number and state of the churches. He entertains the hope of procuring from the government a larger portion of the *impropriations* for the Clergy than the third, which they at present possess, which would at once place them on a footing of competence and comfort. He has addressed the *Appeal* referred to, to the British public, in behalf of the Churches, and has deputed Mr. Stowell, the biographer of Bishop Wilson, to second, by a mission to England, the efforts which he had himself already made for raising subscriptions for the purpose."

Mr. Stowell collected about £800, the remainder, upwards of £8500, exclusive of later donations, has been collected by the personal unremitting exertions of the Bishop, who from the moment that this "good desire" was "put into his heart" has not ceased to labour daily and hourly, that he might "bring the same to good effect:" how he has succeeded, Lord Teignmouth's note, added in 1836, will best explain—

"The bishop commenced his work of building churches, by procuring the condemnation of some of the old dilapidated ones.—This can be effected, according to the law of the island, by the verdict of a jury, consisting of two masons and two carpenters.—Each parish is bound by law to build and repair its church ; and many of the edifices thus compulsorily erected are such as barely to protect the congregation from the weather, and so ill-constructed as speedily to need repair, and without any reference to durability.

"The bishop applied his fund judiciously, and has enjoyed the gratification of causing the erection of ten new churches and chapels, including a floating chapel at Douglas, the present of Earl

de Grey, when first lord of the admiralty.* This place of worship is regularly filled by mariners, who would enjoy no other means of attending Divine Service. The bishop has erected, in a sequestered part of the Island, in which there is a population buried among the hills, out of the reach of any place of worship, a chapel and school-house under one roof. The entire structure is of a cruciform shape : the chancel and transepts are appropriated to Divine Service : the nave is used as the school-room, and divided by sliding doors, from the rest of the building, which are thrown open for public worship. The Bishop proposes erecting additional churches and chapels.—1836.”†

Writing in the year 1829, Lord Teignmouth goes on to say, “ The Bishop does not despair of executing another project,—the foundation of a College for the education of the Manks Clergy. The success, which has rewarded a similar plan of the Bishop of St. David’s, affords him much encouragement ; and it is hoped, that such a place of education might, from its vicinity, and from the great cheapness of living, attract students from Ireland, and the adjacent parts of England, who could not otherwise afford the expenses of a residence at College; and that Mona may become once more, as in antient times, ‘ the fountain of

* The present of the Admiralty having been the very first act of Earl De Grey in his Office, in kind compliance with a request personally made to him by the Bishop.

† Funds are already raised, and preparations made for the commencement of two additional chapels immediately on the Bishop’s return : could he have been in the Island himself, they would have been long since built and consecrated. Funds are also raised in part for a third ; and the Bishop does not despair, either of restoring the antient Cathedral of St Germanus, now in ruins, or of laying the foundation of a new one. The lands and ruined walls, too, of Rushen Abbey, at this present moment offered for sale, do not stand unnoted. Small additional funds only are required to put that consecrated ground, the resting place of good Kings and holy Bishops, once more into the possession of the Church : having been, as Dugdale says of it, “ the last Abbey destroyed by Henry 8th,” who ejected the Bishop, for not complying with his measures : it may be the first restored ; and its noble Church once more “ set apart from all common and profane uses,” and again “ dedicated to the service of Almighty God.”

honest learning and erudition.' " * Such is his Lordship's announcement of the Bishop's project in 1829, and it is a curious fact, that it is identically the same, almost to the very words in which it has been put forward, with one entertained by the great and good Earl of Derby, who was beheaded at Bolton soon after the martyrdom of Charles 1st. Lord Derby's plan I found only a few days since, detailed in a letter to his son Charles, which is preserved in the "Desiderata Curiosa," a copy of which work is in the British Museum. "I had a design," says the Earl in that letter, "and God may enable me, to set up an University, without much charge (as I have contrived it); which may much oblige the nations round about us: it may get friends unto the country, and enrich this land. This certainly will please God and man. But of this I shall tell you more, when it please the Lord to settle me again in my own." It never did "please the Lord to settle" the noble Earl again in his own; but his son Charles, to whom this letter was addressed, remembered another instruction, which his Father had given him in the beginning of the same letter. "Have this in your thoughts, *first*, to chose a reverend and holy man to your Bishop, who may carefully see the whole Clergy do their duties." His Son remembering this instruction chose the "reverend and holy man," Isaac Barrow, to his Bishop, who not only saw "the whole Clergy do their duties;" but being, as Sacheverell has said of him, "a man of publick spirit, and great designs for the good of the Church," turned his attention to carry into effect Lord Derby's plan for a College, and laid that foundation upon which has been since built, in 1833, King William's College, a structure in many respects worthy of its noble proto-projector,

* Vide p. ii.

of its pious founder, as Bishop Barrow may be called, though dead 200 years before a stone was laid, and also worthy of its Royal Patron; a structure, which, if not in all respects "set in its state," is worthy of the best attention of those men, "of public spirit," who delight to promote sound religion and useful learning: *architecturally* it would be an ornament to Oxford; and if it be, as it undoubtedly is, inadequate to the wants of those who have crowded into it, that inadequacy arises only from the want of additional funds to carry out that *large plan* upon which it was conceived, and has been commenced.

In a note written in 1836, Lord Teignmouth says,—

"It affords me much gratification to state the successful result of the zealous efforts of Bishop Ward, and the other trustees of Bishop Barrow's fund to establish a college for the objects above specified. That worthy prelate's pious intentions have been thus fulfilled, after an interval of nearly two centuries. He was uncle of the famous Isaac Barrow, and was Bishop and governor of the Isle of Man during a few years, about the time of the fire of London. He saw with concern the inefficient ministry of the island, and endeavoured to provide for it by a grant of twenty pounds per annum. This has gradually increased to £480 per annum; a sum which has been appropriated to the maintenance of the school: and an additional sum of £1000 has resulted from accumulation.

"Bishop Ward conceived the project of establishing a college out of the proceeds of the fund thus arising, and the contributions which it might be in his power to raise, within the Island. The latter amounted to £2000. A builder having contracted to erect the proposed college for the sum of £3000, the work was completed. But the actual cost amounted to nearly double that sum; and the trustees have been consequently much in debt and difficulty, from which they hoped to be rescued by the aid of government, the expectation of such aid having been held out to them. They recommend the appropriation of a portion of the crown tithes of the Island, which are worth £700 or £800 per annum, to the purpose; and this suggestion was favourably received. But as yet nothing has been done.

“The building is painfully inadequate to the requirements of a college and a large school. As, excepting two or three youths destined for the Manks Church, who must be natives of the Island, (or else they are not ordainable from the college by the Bishop,) the rest of the pupils are, in fact, boys from seven to sixteen or seventeen years of age ; and for them the object of the college, or rather school, is to give them, on very moderate terms, an education much the same as they would receive at the large superior grammar-schools of England. The system resembles rather the grammar than the public schools in England. The prescribed course of education, from which no deviation is allowed, embraces the Greek and Latin, mathematics, English grammar and composition, geography and history, writing, and arithmetic. The college fees are (per quarter),—

	£	s.	d.
“ For pupils between 7 and 10 years of age,	1	0	0
” ” 10 and 13 years of age,	1	10	0
” ” 13 and 18 ”	2	0	0
above 18 ”	2	10	0

“ There is an annual examination, after which prizes are publicly awarded by the governor, Bishop, &c.

“ The college opened in the autumn of 1833 : the number of pupils, being 40 at the commencement, has increased to 170 ; of whom about 80 or 90 board in the college, under the especial care of the vice-president and his assistants ; about 30 or 40 more board with one of the masters, and the rest with their friends, or in approved lodgings in the town. Of the pupils, 70 are English, 50 Irish, 30 Manks, 10 Scotch, and a few from India, sons of missionaries, placed here either by their parents or the Church Missionary Society.

“ A chapel is annexed to the college, built by the Bishop, partly out of his church-building fund, and partly out of his private purse ; and two full services are performed in it on every Sunday. The public are admitted to it, and enjoy ample accommodation of free seats. A considerable portion of religious instruction is afforded to the students by the principal and his assistants, both on Sundays and other days.

“ Want of funds has prevented the execution of the comprehensive plan originally proposed, of reviving the parochial schools,

which are, for the most part, lamentably neglected, and putting the grammar-schools into connexion with the college. Exhibitions from these schools at the college, and at one of the universities from the college, would prove a most salutary species of endowment.

"In addition to the reasons for assistance from government enumerated, it is alleged, that the college confers an important benefit on the Island, inasmuch as it has already caused the outlay within it of £15,000.*

"The above particulars have been communicated to me chiefly by the excellent principal, Mr. Wilson, to whose energy and ability in the discharge of his duties, the amplest testimony is borne; and by John Mac Hutchin, Esq., one of the trustees of Bishop Barrow's Fund, who has afforded Bishop Ward the most zealous assistance in the execution of the scheme.—1836."

Writing in the year 1829, Lord Teignmouth observed, "The present Bishop has already directed his attention to the maintenance and elevation of his Church, by endeavouring to remedy the defects in the *incomes* and education of the Clergy, and in the number and state of the Churches. He entertains the hope of procuring from the Government a larger portion of the *impropriations* for the Clergy, than the third which they at present possess, which would at once place them on a footing of *competence* and *comfort*." Of these impropriations so much has been said in a former part of this account, that it would be superfluous to say a word more about their history in this place; but, speaking of the present condition and future prospects of his Clergy, the Bishop, in his Memorial to the Ecclesiastical Commissioners, says,—

"With regard to the Episcopal 'revenues' of the See of Mann, the Board, of course, saw the injustice of alienating them for the benefit of Carlisle: you will also, I think, see the injustice, as well

* "It may get friends unto the country, and enrich this land."—Earl of Derby to his Son.

as the impolicy, of scattering those revenues among the inferior Clergy. It is surely impolitic to admit the principle, that if the Clergy of a certain diocese be poor, they may claim the Episcopal revenues, because there is not a diocese in the united Church to to which this principle would not be applicable; and it is dangerous to *tempt* men with expectations which they ought not to desire to see realized.* In this case, however, such a measure would be unjust towards the *people*, even should it, in a temporal point of view, benefit the *Clergy*. I have already shown the great advantages derived to the people from the residence of their own Bishop among them: their forefathers purchased these advantages for them, by dedicating a portion of their property to his support—to take this portion, therefore, and apply it for the benefit of any other order of the ministers of the Church, would be unjust, not only to

* How this temptation has succeeded, let the following account testify. Aug. 1st 1836, Lord Melbourne in the House of Lords said: "With regard to the revenues of the See being derived from the Island, it was understood, when the subject was under discussion, that they were to go to the augmentation of the different benefices in the Island, and therefore they will be at least as advantageously distributed as at present." The Marquis of Lansdowne upon the same occasion said, "The Noble Earl opposite, has given the best reason in the world for the expediency of this measure, because he has said that a great portion of the Clergy in the Island are in a state of distress, and therefore there can be no better mode of employing the revenues of the Bishopric, than distributing them amongst those Clergy." Nov 29th, 1837, Lord John Russell in the House of Commons, said, upon the same question, "I would have supported a proposition for transferring the income of the Bishopric, after existing interests were satisfied, to the Archdeacon and Clergy of the Isle of Mann." The report of this last speech arrived, and was read by the principal Clergy of the Isle of Mann; and how did they answer it? Let the words of their own petition to Parliament, forwarded by the next returning Mail, give their answer, and tell their children that the Archdeacon and Clergy of Mann refused to sell their birthright for a price of money. "As to enriching the Parochial Clergy with the spoils of their Bishoprick, your Petitioners dislike the principle, and dread the example: they affect not, indeed, to conceal, that the Vicars of the Diocese are in straitened, in very straitened, in lamentably straitened circumstances, from which they humbly solicit, and would gratefully accept *honourable* relief; but they disclaim a wish to procure *temporal* advantage at the expense of *spiritual* loss."

the present, but to all future generations of Manxmen. But to the Clergy themselves this proposed benefit would be more specious than real; they are *doubtless very poor*, but they would not be compensated by the small portion they could each receive, from the sub-division of the Bishop's revenues, for the loss of the only person of rank or property among them—far from gaining the comforts or the influence of property, they would still remain poor; while, by this scattering of all its revenues, the Church would lose the important station it now holds in all insular affairs. There is a source indeed, from which the Clergy might receive temporal benefit, without spiritual detriment, either to themselves or the people. I have already mentioned *certain inappropriate tithes*, once the property of the Clergy, but now vested in the Crown: to gain these tithes for the poor Clergy, I have not hesitated to employ the most urgent importunities with every successive government during the last nine years. Could I live to see this boon granted, and the insular Church secured in all her rights and privileges, I should go down to my grave without a doubt of her future welfare and prosperity.”*

But Lord Teignmouth, in his note of 1836, says, “The Trustees (of the College) have been much in difficulty and debt, from which they hoped to be rescued by the aid of Government, the expectation of such aid having been held out to them. They recommend the appropriation of a portion of the Crown tithes of the Island, which are worth £700 or £800 per annum, to the purpose. But as yet nothing has been done.” Now these two statements of the Bishop and Lord Teignmouth seem to indicate a difference of purpose in the former, as Guardian of the interests of the *Clergy*, and as a Trustee of the *College*. In a letter

* The Marquis of Lansdowne's sentiments upon this point are sufficiently singular; so singular indeed, that they must have escaped his Lordship in the hurry of debate without due consideration. “As to transferring a portion of the property of the *Crown*,” said the noble Lord; “I think it would be very *unjust*, while there are *episcopal revenues* in the island applicable to such a purpose.” Is there now no Nathan in Israel?

lately addressed by the Bishop to the Clergy in Convocation on the subject of the proposed annexation of the Diocese of Mann to Carlisle, his Lordship explains this apparent difference; but, as he also alludes to other points detailed in this history, I cannot do better than finish these imperfect and hastily-arranged notices with copious extracts from that letter.

“A letter, addressed to the Clergy of the Isle of Mann, in November, 1837, by the Right Rev. William Ward, D.D., Lord Bishop of Sodor and Mann.

“My Reverend Brethren.—The very great risk, which I should incur to my newly-recovered sight, did I cross the sea before next spring, has made my friends and my physicians so urgent in their request that I should remain in England through the winter, that I have been compelled to assent, though much against my own wishes and previous intentions; but when they represent to me, that all the cost of time, anxiety, and suffering, which I have undergone before and since the operation, will, probably, have been expended in vain, should I expose myself to this risk, at a distance from all professional advice, I think that the Providence of God has marked out the line of duty for me in a manner not to be mistaken; and I am, therefore, resolved to follow it, trusting that my detention in England will be proved to have been ordered for the good of my Church in some manner, which I may not yet fully understand.

“Yet, my Reverend Brethren, while my infirmities keep me from you in the body for a time, in the spirit I am always with you; and, as your watchman-in-chief, I ever keep a wakeful eye, that I may not let pass by any opportunity, which our gracious God may offer me, to guard and advance your interests, and those of the people committed to our care, both in things spiritual and temporal. With what eagerness I shall seize upon such an opportunity, I trust that my past endeavours to serve both you and them, however inefficient they may have been, and however far they may have fallen short, not less of my own wishes, than of yours, will nevertheless not fail to convince you. Already it seems to me that a door is opened for me, and that my presence here is, under God, absolutely necessary, not only to obtain that, which will in-

crease your efficiency as ministers of the Church of Mann, but also to secure our Church against great and grievous injuries.

“In order, therefore, that I may lay my intentions and expectations before you in the fullest manner, and point out to you by what means you can best aid my endeavours, I have desired the Archdeacon to assemble you at Bishop’s Court, where he will read to you this letter, and beg you to consult with him upon its contents. And may the Holy Spirit rest upon each of you, guiding and directing your counsels, to the end, that whatever is of God in these matters, you may be made the honoured instruments to establish—whatever is of man will come to nought.

* * * * *

“And now, my Rev. Brethren, I must draw your attention to a subject, which occupies the chief place in my thoughts—the suppression of our venerable Bishoprick, and the indignity cast upon the antient and apostolick Church of Mann, by the proposition to annex it as a small appendage to an English See. It is not indifference on my part, my Reverend Brethren, to your temporal interests, and those of your families, which suffers me to forget those interests in my anxiety for the future spiritual well-being of our church—to advance them rather has been my constant endeavour, and shall be to my dying day. One great object of my addressing you upon this occasion is to request that you will support my present application to her Majesty’s Ministers for the Crown Tithes in the Island. I have importuned every Ministry since my appointment to the See for the grant of these tithes to the Vicarages; but when, under the government of Lord Grey, I was told, that, though that Ministry would not grant them to the *Clergy*, yet they might for purposes of general education, I then applied for them for the *College*, and received repeated promises, that they should be given for this object: but those promises having been, happily perhaps, never fulfilled, I have reverted to my original desire, and I have done this with the surest prospects of ultimate success.

“The question, which has been raised about the Insular Bishoprick, has excited great interest among leading men of all parties in England in behalf of our island generally, but especially on all points connected with the Church. I have not failed

to take advantage of this interest to represent, in the strongest possible colours, the very inadequate incomes of my Clergy, and I have been encouraged in the most influential quarters to make publick my intention of increasing the four Vicarages in my gift to £150 per annum, in the full confidence that the Government will in like manner, out of the Improprate Tithes, increase the income of those Vicarages, of which the Crown is patron.

* * * * *

“For your own sakes, therefore, and those of your children, and of your Church, it is of the first importance, that you should unite with me in attaining these most desirable objects—the preservation of the Bishoprick, and the improvement of the Vicarages out of the Episcopal and Crown Tithes.

“I have heard, that surprise has been expressed at the change, which this offer on my part seems to indicate in my sentiments, since I addressed my Memorial to the Ecclesiastical Commissioners, in which I deprecated in the strongest possible manner, the idea of scattering the Episcopal revenues among the Parochial Clergy. On this point not the smallest change in my sentiments has taken place. I distinctly spoke of the arbitrary scattering of the *whole* of the Episcopal revenues, not of a different and voluntary apportionment of a small part. I shall ever deprecate, as most injurious alike to yourselves and the people, any act, by which the Bishop shall be removed, and his present income subdivided among yourselves, or among yourselves and the Bishop of Carlisle. But that the Vicars of those parishes, of which the Bishop is patron, and holds the great Tithes, should receive a portion of those Tithes voluntarily ceded by him, is quite a different thing.

“I am anxious, most anxious, that the efficiency, not less than the domestic comforts of the Parochial Clergy, should be increased by an increase of means. This good end, I am confident, we shall attain by vigorous and united efforts, cordially co-operating together for the common good.

“I have dwelt too long upon these objects of personal and temporal interest. Let us turn to others of a far deeper interest—to questions, which involve the eternal welfare of all the souls hereafter to be born into that Church, of which we are at this solemn crisis the appointed ministers and guardians. Many of the

great benefits, which have resulted to the Clergy and people of the Isle of Mann from the presence of their own Bishop, I have already set forth in a Memorial addressed by me to his late Majesty's Commissioners appointed to consider the state of the Church of England and Wales, which has been laid before you; it would therefore be wholly superfluous for me to dwell upon them here, especially as they must be better known to yourselves, than to me.

* * * * *

"I cannot but think, that among you, my Reverend Brethren, the sacred office of a Bishop, as the successor and representative of the Apostles, is held in such reverence, that you would grieve over the day, that saw his person removed from among you to a distant See, as the most disastrous to the spiritual blessedness of your Church, that has befallen it, since first it reared the holy standard of the Cross in your native land.

"Passing by, then, these motives to exertion upon this question, let me direct your attention to those, which arise from the union of the temporal and spiritual estates in the Isle of Mann. When, as I have just said, the Church first reared the standard of the Cross in your native land, she was represented by, and concentrated in, that holy Bishop, who was sent by God, as the Apostle of the North, to call the nations from heathen darkness to the blessed light of His everlasting Gospel. That Apostolic man soon gathered a faithful few about him, and with these few chosen stones he founded an island Church, built upon the one only foundation of the Apostles and Prophets, Jesus Christ Himself being the Chief Corner-Stone. His sacred mission called him to another land; but, as a wise master builder, in virtue of his office, he laid his hands upon the holy man, whom he chose to be his successor in the Bishoprick, and left him to build upon that foundation he had laid, 'ad regendum et erudiendum populum in fide Christi.'—Thus did your forefathers, who before were strangers and foreigners, become fellow-citizens with the saints, and of the household of God; and thus did all the building, fitly framed together, grow unto an holy temple in the Lord. Its first Bishops being guided by that Holy Spirit, Which was within them, were wise master builders, and fitly framed the building together, according to Apostolic rules, and *therefore* it grew, and increased, till it covered the land, and our island became a holy temple in the Lord;

and He having been ever present with it, we now find ourselves, by His mercy, 'buildd together for an habitation of God through the Spirit.' Such is our Church now ; no part is wanting ; as Jerusalem of old, it is like a city that is at unity in itself, that is compact together ; but your Zion is threatened with the loss of her fairest ornament, her compactness is to be rudely broken, and the beauty of her unity violated ; the corner-stone of this living temple, which is laid upon the Chief Corner-Stone, Jesus Christ Himself, is by the rash hand of man to be removed from its place, where, from generation to generation, for 1400 years, it has kept the building closely knit together, no hand till now having been found so daring, as to touch that, which preserved the ark of God. But to turn from the future, which is God's, to the past and the present, which He has given us to be ours ; let us see what have ever been the blessed consequences of the growth of this holy temple, so framed together : the consequences have been, that we have always stood, and now stand, as a witness among the nations, powerful from our faithfulness, of that union, which should exist between a Christian State and the Church, whose sons, the members of that State are. The temporal and the spiritual estates in the Isle of Mann have ever held together in perfect unity ; nay more, they have been incorporated the one in the other ; they have formed parts of the same body corporate, distinct, and yet one ; and this incorporation has been complete : the King, the Lord of the Isle, or his Lieutenant, the members of the legislature, or those who represent the *temporal* interests of the community, the executive officers in the state also, have been at all times in full and free communion with the Church, whose chief ministers have represented in the *same* legislature the *spiritual* interests of the community : thus has the one Parliament or legislative body, faithfully represented both the spiritual and the temporal estates ; the State has not sought to encroach upon the liberties of the Church ; neither has the Church forfeited her spiritual character by sending her chief ministers to represent her interests in the State, for those ministers have ever found themselves surrounded by her faithful sons. In all other Protestant nations this beautiful form of Christian unity is preserved only in theory ; as a form much to be desired indeed, but Utopian, being practically and hopelessly lost : while infidel and heretic claim a tyrant's power over the

fairest portion of Christ's heritage, Whose last prayer on earth was, that His Church might be one, even as He and the Father are One.

"But among us, my brethren, in our small but favoured Isle, the prayer of our blessed Lord seems to have been fulfilled, for among us our temporal rulers have been in full communion with the spiritual, and the spiritual rulers have brought their advice and blessings to the counsels of the temporal. Thus have those counsels been ever hallowed by the presence of God's ministers; and thus has our antient Church been ever One. Each succeeding year do we see a practical illustration of this, when, after antient custom, we assemble to promulgate a new law: this with us is strictly a religious ceremony, and one too in which all unite in a holy fellowship. The Bishop with his Clergy, and the principal laity of the Church, which includes the *whole* of the Legislative Body; the Governor and his Council, in which are included the Bishop and principal Clergy; and with the Council the antient and honourable House of Keys, all forming one estate spiritual, and one estate temporal—before they enter upon the public business of the day, meet for common prayer in the Church; they kneel down before the same Altar, they follow the same rule, they mind the same thing, with one mind and one mouth they glorify God, and with one accord make their common supplications unto Him, 'that all things may be so ordered and settled by their endeavours upon the best and surest foundations, that peace and happiness, truth and justice, religion and piety may be established among us for all generations.' And can it be, that that goodly fellowship is to be deprived for ever of the presence of its spiritual father? Surely not, if you, my brethren of the Clergy, or you, my brethren of the Laity, can by God's help keep him among you.

"One point more there is connected with this question, and an important one it is. While our insular Church has been thus incorporated with the State, so that the members of the one have been always members of the other; the Church, as represented by her ministers, has never yielded any one particle of her spiritual authority. Her internal affairs have been always regulated by her own Synod. The Bishop, with his Council of Presbyters, has authorised usages, and enacted canons, which the civil power, without question or debate, has also, as in duty bound, made the law

of the land. When discipline required it, a Bishop has not hesitated to excommunicate a member of a Governor's family. The Ecclesiastical Courts have a distinct and independent authority from the Civil. The State has never made encroachments upon the Church, but has ever acted towards her, as conscious of the sacred trust, which in a Christian nation is committed to the secular power. Thus with us the Church is *free* ; while the rulers of too many other Churches, with a compromising spirit of expediency, a spirit of Herodian subserviency, have rendered unto Cæsar not only those things, which are Cæsar's, but those also, which are God's, and having given themselves and their Churches up, bound hand and foot, as willing slaves, to the kingdoms of this world, have received such a return as tyrants are wont to give, we have never wanted a Bishop of Apostolic boldness to rebuke the proud spirit of the world, before it rose into power. We have never, by a suicidal act, bound ourselves, nor has the secular power sought to bind us. We are free, and they are free ; they encroach not on our liberties, as Churchmen, and we require no test from them as Legislators ; they support and protect us with the arm of flesh, we bless and further them with our counsels and spiritual ministrations ; we are one with them, and they with us. Our State is supreme, and our Church distinct and free ; yet both Church and State are One. From whence then arises this singular happiness to our country ? Let the history of our country answer. An influence given to the Bishops by the prominent station, which they hold, has acquired for our insular Government much more of an ecclesiastical character, than that enjoyed by other states, whether small or great. Thus has a juster balance of civil and ecclesiastical power been established, than in other countries. The Civil has not acted in temporal matters without the Ecclesiastical ; neither has it attempted to tyrannize in spiritual matters, or in any way interfere in the sacred internal regulations of the Church.—The Church, on the other hand, directed by her Spiritual Overseer, has not unwarrantably interfered in temporal matters against the Civil Power ; nor has she ever put her own spiritual freedom in jeopardy. The Church and State, therefore, of the Isle of Mann, as has been well said, ' stand as witnesses, small indeed, but faithful, the one to the apostolical doctrine and discipline of the Church

of Christ, the other to the unity so earnestly to be sought in a Christian nation.' "

* * * * *

Such is the history of the Civil and Ecclesiastical Affairs, both past and present, of the Isle of Mann : of which Lord Coke said, "The Isle of Mann hath such Laws, the like whereof are not to be found in any other place : " to the religion of which, in a time of universal confusion elsewhere, Lord Derby, upon the scaffold bore this testimony, "I die a dutiful Son of the Church of England, as it was established in my late Master's time and reign, and is yet professed in the *Isle of Mann*, which is no little comfort to me : " of the Ecclesiastical Laws of which Lord Chancellor King said, "If the antient discipline of the Church be lost, it may be found in all its purity in the Isle of Mann : " which, too, as governed by those Laws, was the only Diocese, which a distinguished living writer could produce, when called upon "to exhibit" his "principles in action : " he could name in the Anglican Church no "diocese, or place of education, or populous town, or colonial department, administered on the distinctive principles," maintained by "Andrews, Laud, Hammond, Butler, and Wilson," to be the principles of the Catholic Church in its primitive state, but only "the Diocese of Sodor and Mann in the days of Bishop Wilson : " under whose administration the Church in that small Island commanded such respect on the Continent of Europe, that Cardinal Fléury, who wanted much to see him, and sent over on purpose to enquire after his health, his age, and the date of his consecration, as they were the two oldest Bishops, and he believed the poorest in Europe, not being able to induce his venerable brother to visit him in France, obtained, never-

theless, an order, that no French privateer should ravage the Isle of Mann : which Bishoprick again, when Bingham was writing to propose "an easy and honourable method for establishing a primitive Diocesan Episcopacy in *all* the Protestant Churches," was the *only* reformed See he could produce as "conformable to the model of the smaller sort of antient Dioceses in the Primitive Church : one great objection," says that learned antiquarian and divine, when speaking of

"The long-wished-for union of all the Churches of the Reformation in the same model and practice of the Primitive Church, one great objection against the present Diocesan Episcopacy, and that which to many may look the most plausible, is drawn from the vast extent and greatness of most of the *Northern* Dioceses of the world, which makes it so extremely difficult for one man to discharge all the offices of the Episcopal function : but there is no certain geometrical rule prescribed us about this, either in the writings of the Apostles, or in the laws and practice of the Primitive Church, any further than that every city, or place of *civil jurisdiction*,* should be the seat of an Ecclesiastical Magistracy, a Bishop with his Presbytery, to order the spiritual concerns of men, as the other does the temporal. That this was the general rule observed in the Primitive Church, I think I have made it appear beyond all dispute. Whenever, therefore, any of the foreign Churches of the Protestant communion shall think fit to re-assume again the antient Episcopal form of government among them, they may both with honour and ease frame to themselves such a model of small Dioceses, as will not much exceed the extent of one of their classes, nor much alter its form, and yet be agreeable to the model of the lesser sort of Dioceses in the Primi-

* The present Bishop, in his Memorial to the Ecclesiastical Commissioners, has said, "As a distinct people, the Manx are entitled to continue in the enjoyment of this among their other antient privileges : their laws, ecclesiastical and civil, are different from those of England : their legislative and executive government is distinct from, and their legislative *independent* of, the English : the Church, therefore, as well as the State, requires a distinct Governor."

tive Church. As this will secure the just authority and veneration of Episcopal superintendency, whilst according to the rule of Ignatius, nothing is done without the Bishop in the Church; * so will it be agreeable to the model of the antient Church, which had many small Dioceses, as well as large ones, particularly in Italy, where many Episcopal Sees were not above five or six miles from one another, and their Dioceses not above ten or twelve miles in extent, and there are some Dioceses at present in the Southern parts of France, which do not very much exceed that proportion. The Bishoprick of the *Isle of Mann* has now but seventeen parishes, and in Bede's time, the whole Island had but the measure of three or four hundred families. So that, though Dioceses in the Protestant Churches should be thus contracted, yet no other Church can have any just reason to complain of such an Episcopacy as this, so long as it appears to be agreeable to the original state, and exactly conformable to antient practice: they may treat one another with the same *Catholic charity* as the antient Churches did, among whom we never find the least footstep of a dispute upon *this foundation*."

One of the recommendations of the Ecclesiastical Commissioners for England and Wales, appointed to suggest "such measures as might be most conducive to the efficiency of the Established Church," is the following: "We are of opinion, that the Bishoprick of Sodor and

* "The deep-rooted attachment of the Manks to the Established Church, which precluded dissent till the arrival of the Methodists, and still binds the adherents of this sect to its ordinances, is attributable to various causes. . Among these may be enumerated, their insulated situation, and distinct habits,—the tenacious adherence to ancient rites and customs, and reverence for authority which distinguishes them, in common with the other branches of the great family to which they belong; the remarkable combination of strict discipline with perfect toleration in their ecclesiastical code; no religious test being required in the *Isle of Man* as a qualification for office, nor even license necessary for preaching; the commanding influence of the episcopal office, endowed with elevated rank, civil and ecclesiastical power, and ample wealth, yet from its peculiar constitution, which assigned to it a throne in every parish church, brought into contact with every portion of the diocese." —*Lord Teignmouth's Isle of Man.*

Mann may, without inconvenience, be united to that of Carlisle ; the Isle of Mann contains only eighteen parishes, over which the Archdeacon, who is resident, and has a respectable income, can exercise an effectual superintendence." Whether this be a recommendation "conducive to the efficiency of the Established Church," is *one* question ; but whether, after the solemn protest, and earnest petitions of the whole Church of Mann, from the Bishop to the poorest Layman, the *silent* persevering in that recommendation be treating us with "Catholic charity," is another and a *further* question ; yet let that too pass—and rather let us trust in God, who both can and will, for the good of His Church, bring strength out of weakness : trusting in Him, then, and in Him *alone* to open the heart, and convince the judgment, we will confidently hope soon to see a more reasonable, just, and generous policy adopted ; and that "reverence for the most antient of all the Sees established in Great Britain ; gratitude for the untold benefits which the whole Church has derived from the labours of one of its Prelates, the venerable Bishop Wilson ; and sympathy for the inhabitants of the Island, thus to be deprived of what true Churchmen must consider as the *most* valuable of all hereditary privileges," will, together with the "conviction of the extreme inconvenience of annexing the Diocese to an English See," so work upon the minds and hearts of those now in possession of a power, for the exercise of which in the smallest as well as in the greatest points how deeply, awfully responsible they are to Almighty God, none can know better than themselves, that the words of the present revered Bishop may at last "not pass unheeded ; but that the Church of Mann may even yet be spared, as a memorial of happier days that are passed, and as an earnest of brighter days to come."

APPENDIX—No. I.

THAT portion of the foregoing history, which treats of the Civil Affairs of the Isle of Mann, having been too hastily brought to a close at that date from which the Laws given in the Statute Book, and other Documents, become both interesting and important, as proving the complete independence of the Manks Legislature, and at the same time its invariably careful and upright administration of power, I have thought it best to add those documents in this place: in doing this I shall not confine myself to those only, which treat of Civil Affairs, but I propose to give in their order, and connect by a relation of facts, all that may seem calculated to throw any light either upon the Civil or Ecclesiastical Constitution of the Isle of Mann.

From the first committing of the breast-laws to writing, under Sir John Stanley, 1417, full Records have been kept of all the Acts of Tynwald, which form the Statute Book, now used by the Insular Lawyers: this Statute Book, therefore, is a perfect history of the Constitution from that day to the present. The account of Sir John Stanley's proceedings have been given so fully in the history out of this same book, that it would be useless to dwell upon them here. Five years after the first settlement of the laws, some further cases having arisen, it was necessary for the Lord to inquire of his Deemsters, what the antient law said respecting them: the form in which he did so was as follows: "Our most gracious and excellent Lord, Sir John Stanley, King of Man and the Isles. In the the Vigil of your Lady Sct. Mary, An. Dom. 1422, att his Castle of Rushen, asked his Deemsters, and the 24, the laws of Mann in these points underwritten. To the which the said Deemsters, with the 24, gave for law, that these be points of your Prerogatives." These points so given for law, relate to outlaws, wrecks, game laws, robberies, murders, and aliens; also, (what was directly contrary to the English law at that time,) "if any man who have done any treason, or any man-slayer, taketh sanctuary for dread of punishment, the Sanctuary shall not awayle

him by the law of *Mann*." Then follow the different points of treason, the authority and antient constitution of the Keys, or *Taxiati*, (see history, p. 19,) "and as to the writeing of laws, there was never any written since King Orry's days, but in the time of Michael Blundell, that we have knowledge of." The Lord's power in holding Tynwald, and the power of levying fines upon the Clergy were defined. "Also, that all great matters and high points that are in doubt, ever as they fall, I will that my Lieutenant, or any of the Councill for the time being, take Deemsters to them with the advice of the Elders of your Land of Mann, to deem the Law truly to the parties, as they will answer to me thereof, and that all doubtful points be always registered up, and laid in my Treasury, that it may be ready when such a chance falleth." Some regulations concerning the Bishop and Abbot in matters relating to the Treasury follow this point: some agricultural regulations; licences for ships going to England necessary; some Chancery regulations; also about the maintenance of soldiers, and their discipline; some points relating to the duty of the Officers of the Council, and some restrictions upon the mode of carrying on merchandize between the coast and the interior of the Island. These constitute the principal points laid down for law by the Deemsters in 1422, in answer to the questions of Sir John Stanley; and such were some of the *internal* regulations, over which no foreign Parliament had the pretence of control; and among them are some relating to Ecclesiastical Officers. Sir John Stanley was succeeded by his son Sir Thomas, created Baron Stanley by Henry 6th: his son again was created Earl of Derby by Henry 7th; to whom succeeded Thomas, his grandson, who resigned the *regal* title. His reasons are explained in the following extract of a letter from the seventh Earl of Derby to his son:—

"The isle was sometime governed by Kings, natives of its own, who were converted to Christianity by St. Patrick, the apostle of Ireland; and Sir John Stanley, the first possessor of it of that family, was by his patent stiled King of Man; as were his successors after him, to the time of Thomas, second Earl of Derby; who for great and wise reasons thought fit to forbear that title. Some might think it a mark of grandeur, that the Lords of this isle have been called Kings; and I might be of that opinion, if I knew how this country could maintain itself independent of other

nations; and that I had no interest in another place: but herein I agree with your great and wise ancestor Thomas, second Earl of Derby, and with him conceive, that to be a great Lord is more honourable than a petty King. Besides, it is not fit for a King to be subject to any other King, but the KING of Kings; nor does it hardly please a King, that any of his subjects should affect that title, were it but to act it in a play; witness the scruples raised, and objections made, by the enemies in his Majesties council, of my being too nearly allied to the royalty, to be trusted with too great power; (as before herein mentioned) whose jealousies and vile suggestions have proved of very ill consequence to his Majesties interest, and my service of him.—Take it for granted, that it is your honour to give honour to your sovereign, it is safe and comfortable; therefore in all your actions, let it visibly appear in this isle.”

Thomas, second Earl of Derby (see history, p. 36), made a confirmation of all the temporalities of the See to Huan, the then Bishop, in that deed, which is given in the original at the end of the Synodal Constitutions, in this Appendix: it will be sufficient therefore to observe here that the Earl of Derby, who styles himself “Thomas, by the grace of God, King of Mann and the Isles,” says, “we have conceded and given to Huan, by divine permission, present Bishop of Sodor, by a grant absolute and permanent, for his *Episcopal* table, all the churches, lands, tithes, and possessions, which our predecessors, Kings and Lords of Mann, conceded and confirmed.” Here follows a list of all the possessions, being the same as those held by the present Bishop; and these revenues and possessions he gave “to be held and possessed by the aforesaid Huan, and by his successors, *Bishops of Mann*, for ever, as freely, quietly, and honourably, as any grant is conferred upon and appointed to any *Episcopal* table whatsoever, by any Kings or Lords whatsoever, to last through all ages.”

After this Earl of Derby the Lords of Mann never resumed the regal title, though their power and dignity remained undiminished. 1521, Edward, son of Thomas, second Earl of Derby, succeeded: in his time the following Indenture was made, from which it will be seen most clearly how entirely all matters relating to the Church, and belonging of right to the Civil Power, were con-

sidered as internal regulations. "This Indenture made, the last day of July, A. D. 1532, between the Rt. Revd. Father in God John, Bishopp Sodorensis and the Isle of Mann, and all the Clergy and Spiritualtie of the said Isle on the one parte, and " of the different Sheadings, or hundreds, "on the other parte, witnesseth, that whereas varience and discord has risen between the said Bishopp and Clergie, and the persons above said, and all other the temporall inhabitants of the said Isle and Comonalty, for when the taking of Mortuaries was called in the said Isle Corse presents, and other exactions and wrongs, which the said Comonalty alledgeth the Spiritualtie of the said Isle did unto them for the appeasing and ordering of which controversie, the Rt. Hon. Edward Earl of Derby, Sovereign and liege Lord of the same Isle, by his writing of Commission under his seale of Mann appointed" the officers of the Council, and one of the Deemsters, to hear the case, and order it "according to equity and justice." The Bishop, the Abbot of Rushen, and the Clergy, were accordingly summoned to Castle Rushen, where they entered into a full defence of their right to all the different tithes and fees named at length in the Indenture, the commonalty on their part pleading against their claims; after both sides had been heard, the Earl's Lieutenant and the members of the Council, bound both parties to certain terms, which were signed by all; and thus this whole question concerning the temporalities of the Church was settled by the internal Government of the Island. After this Indenture follows "A Book of the Spirituall Lawes and Customes belonging to the Isle of Mann." The laws and customs there recited are only so far spiritual, as they relate to what pertains to spiritual persons, for they speak only of the *temporalities* of the Church, and some matters belonging to the Ecclesiastical Courts, such as wills, &c.; but they prove how entirely independent of any other Government the Manks Legislature was at that time in regard of all such points: those matters Ecclesiastical therefore come under the head of "internal regulations." In this Earl's time the Bishoprick was by an Act of the British Parliament, rendered subject to the See of York, though before that united to Canterbury. This was an important era in the history of the Manks Church: Edward, Earl of Derby, lived till the year 1592. An. 1542 Thomas Stanley was Bishop. With regard to this Bishop I have

made a very great mistake in the history, page 36: I have said there, that he was deprived in Queen Mary's days, and restored in the beginning of Elizabeth's reign; this is incorrect: I was misled by Le Neve, who, though generally right, in this instance contradicts himself: I found this upon a closer investigation of his dates, after having read a MS. of Bishop Hildersley's, in the British Museum, in the Sloane Collection. Bishop Hildersley, in a Catalogue of the Bishops of Mann, says, "Thomas Stanley, 1542, in his time, by Statute Henry 8th, the new erected See of Chester and Bishopric of Mann were dis severed from Canterbury's jurisdiction, and annexed to York. But Bishop Stanley, not complying with Henry 8th's measures, was deprived An. 1545, and was succeeded by R. Ferran, translated to St. Davids. H. Man, 1546; upon his death, Stanley, who had been deprived by Henry 8th, was restored by Queen Mary, 1556; he died 1568." This statement of Bishop Hildersley's is confirmed by the *dates* of Le Neve, though curiously enough contradicted by his *words*: but after an investigation more careful than the nature of the case might seem to require, intending to make a further observation upon it, I am convinced that the Bishop's statement is correct, and Le Neve's wrong.

In the reign of Henry 8th,	A. D.
Stanley was Bishop of Mann	1542
was deprived by Henry	1545
Bishop Ferrar translated the same year	
Bishop Man	1546
Henry 8th died	1547
Ed. 6th died	1553
Mary did not deprive	
Bishop Man, who died in possession, when }	1556
Stanley was restored	
Mary died	1558
Elizabeth did not deprive	
Bishop Stanley, who died in possession	1568

Thus it appears that Mann never lost the regular succession of its Bishops, being the *only* Diocese in the British Church, of which that can be said: Stanley was for a time kept from his See by regal tyranny, but was restored, and since his restoration, till our days, it has never been attempted to disturb the succe-

nion, Cromwell's tyranny merely causing a vacancy for a few years, but no change in the succession. Edward, Earl of Derby, who was Lord of Mann through the whole of this time, was evidently attached to Rome, or otherwise he would not have restored Stanley, though, like all the rest of England, he had succumbed to the tyrant Henry, in suffering his deprivation. Bishop Hildersley says that Stanley, "not complying with Hen. 8th's measures, was deprived." By virtue of Act 27 of Hen. 8, for the general dissolution of the Monasteries, the Monastery of Ruahen, and the Priory of Douglas, and the Fryars Minors, commonly called the Gray Fryars of Bimaken, were vested in his Majesty, his heirs and successors. Again, Act 33 Hen. 8 declares the Diocese of *Chester* thenceforth to be taken, named, and reputed of the Province of *York*, and of the Metropolitan jurisdiction of the same, to every effect and purpose, according to the Ecclesiastical laws of this Realm; and that the Bishop of the same, that now is, and all other his successors, and to the same shall owe their obedience, and be under the jurisdiction Metropolitan of the same. That the Bishoprick and Diocese of *Mann* in the *Isle of Mann* be also annexed, adjoined and united to the said Province and Metropolitan jurisdiction of *York*, in all points, and to all purposes and effects as the said Bishopric of *Chester* is annexed, and united thereto." These are the only measures of Henry, which, being on record, appear to have in any way affected the *Isle of Mann*; it was therefore for non-compliance with either or both of these that Bishop Stanley was deprived; he could hardly have objected to the transfer of the Diocese from the Metropolitan jurisdiction of *Canterbury* to that of *York*, for the Church of *Mann* was no way bound to *Canterbury* by any antient ties of duty or affection. After the Norwegian conquest it had been subject to the Archbishop of *Drontheim*; then again after the Scotch conquest under Bishops *Russell* and *Duncan* subject to no Metropolitan; and had been only put under *Canterbury* as a matter of course when the English power was fully established under Sir John Stanley, when Bishop *Waldby* was elected, An. 1396. So that the Diocese had been only 149 years under the jurisdiction of *Canterbury*, when it was found more convenient to transfer it together with *Chester* to the Province of *York*. Bishop Stanley could not therefore have ob-

jected to this transfer; but he could, and naturally would object to the spoliation of those pious foundations, which Kings and Bishops had enriched long before England had a foot of land, or the shadow of power in the Island. For example, when the records of his country told him, that An. 1102, Olave, King of Mann, tributary to Norway, "gave part of his land in Mann, towards building an Abbey in a place called Russin;" when he knew, that the same King had "enriched the estate of the Church with revenues, and endowed it with great liberties;" and that in the same reign the revenue had been "set out in the most antient and apostolical manner, viz., one-third of all the tithes to the Bishop for his maintenance; the second to the *Abbey*, for education of youth and relief of the poor; the third portion being given to the Parochial Priests for their subsistence;" when he recollected, that these were the gifts of a King in no possible way connected with England; and that Henry IV., who had possessed himself of the Island, had "granted to Sir John Stanley and his heirs the Island and Lordship of Mann, and all royalties and appurtenances, with the patronage of the Bishopric and all Ecclesiastical benefices, in as full and ample a manner as they had been possessed by *any* of the former Lords or *Kings* of Mann;" and when he recollected that he was the responsible Guardian of *all* the rights and goods of the Church; he would not have been the conscientious man, he evidently was, had he not resisted the arbitrary and cruel Act of Henry VIII., who, without pretending to cancel the grant of Henry IV. to the Stanley family, or to investigate the grant of King Olave, nevertheless, by a royal fiat, "vested" in himself and his heirs the Abbey with all its lands, and those tithes, which it held in trust "for education of youth and relief of the poor;" and then, like a gluttoned monster, disgorged them back again, not into the treasury of the poor, or for schools of useful learning, but into the coffers of some pampered favourite: of course Bishop Stanley resisted; as would the whole Church of England have resisted, had not her neck been broken to the tyrant's hand by the debasing yoke of Rome; but the Church of England bowed her submissive head, as she has too often bowed it to her master, whether his voice have been from St. Peter's, St. James's, or St. Stephen's; she followed then, as before and since, her careful policy; "let us keep what we can," her little

mottoe, whether a humble suitor to "His Holiness," "Our Gracious Lord the King," or "Your Honourable House." Not so Bishop Stanley; the mottoe of his noble House was his, and Henry found him "*sans changer*:" he would make no compromise with a sacrilegious tyrant, and he was deprived. In two years after this Act, Henry was called to give an account of those "ten talents" committed to his trust. Stanley's two successors were more compliant, and the Abbey was destroyed; it now lies "buried in its own ruins," like so many other monuments of a piety truly Catholic, the melancholy witness of an unholy, destructive, and miserable policy. But Bishop Stanley was restored in his old age to the Church and people for whose sake, as also for conscience sake, he had suffered all the unhappiness of banishment; he was restored under the auspices of a Queen, sent in retributive justice to be the scourge of the English Church for her treachery and cowardice; not because she had reformed herself, but because her reformations had been "devouring;" because she had yielded her spiritual power to a temporal Prince; because she had suffered adultery, sacrilege and tyranny, to go unrebuked; and more, because she had patiently endured, nay courted, the caresses of that polluted hand. Thus then was the Church of Mann a second time a faithful witness; in the fourteenth century her Bishop and Clergy had not been scared from their posts by war and anarchy; nor in the sixteenth did the Bishop yield, till driven from his Church and home by force. But though Bishop Stanley resisted tyranny he did not refuse to be reformed; on the contrary, after his restoration the Insular Church began, or carried on, the work of reformation, directed by her own Bishop and her own Clergy; and though this "reformation was begun something later than in England, yet," says Bishop Wilson, "it was so happily carried on, that there has not for many years been one Papist a native in the Island, nor indeed are there dissenters of any denomination, except a family or two of Quakers, and even some of these have of late been baptized into the Church." Such in Bishop Wilson's day was the fruits of the reformation carried on and completed, if not begun under Bishop Stanley, of whom, as one of her Confessors, the Church of Mann may be justly proud.

It is our privilege to boast of the manner in which our reforma-

tion was carried on, and happily completed; yet, after the death of Bishop Stanley, and of the Earl of Derby, who had appointed him to the See, the first Act in the Statute Book relating to Church matters, certainly savours somewhat too much of that Erastian spirit, which seems ever doomed, as the Demon of disorder, to haunt the Protestant Churches. This Act contains "Articles delivered 24th of June, 1594, at the Tinwald then holden, to the Vicars general, by Randolph Stanley, Esq., the Captaine of this Isle; which Articles are to be enquired of at the next Consistory Court to be holden within this Isle;" and which "Articles," it must be confessed, included points of discipline belonging in their nature *exclusively* to Spiritual authorities; they were such as Bishop Russell would not have received at the hands of any "Captaine," especially as one of his orders upon this occasion, to the Vicars General was, "that they enquire of and present all such as pray upon the graves of the dead:"* nor would Bishop Stanley have suffered his Vicars General to receive their orders from the "Captain of the Isle:" but the errors of a Court soon find their way to the remotest corner of a kingdom, and the Lord of Mann did but imitate his Royal Mistress; the Church of England too, worn out with the persecutions of Mary, having gladly sought repose under the less troublesome tyranny of Elizabeth, had set a bad example, which also was contagious; and this must be the excuse for the subserviency of the Bishop and Clergy of Mann on that occasion. This assumption of authority however on the part of the Civil Power over the Spiritual, seems to have caused after a time great inconveniences; as will be hereafter shewn. But to return to the Civil Affairs of the Island; an Act passed in the same Court as this last mentioned, shows how the Lieutenant proceeded, when in doubt as to the law.

"Articles and Questions of Doubt, propounded by Randolph Stanley, Esq., Captaine of the Isle of Man, June 24th, 1594, at the Tyndwald then holden, to the two Deemsters and 24 Keys of the said Isle."

"For that I have received an oath to deale indifferently betwixt the Lord of this Isle, in matters of justice, and the people of the said land, and do find upon perusal of your lawes such repugnance as I cannot resolve, which of them standeth in force: I am

* Vide Bishop Russell's first Canon.

therefore to crave the assistance of you the two Deemsters and 24 Keys of this Isle, collected for the resolving of all doubtful pointes in Law, to give me your full resolution therein; whereupon, God willing, I will during the time of my government here, put the same in due execution. The which Lawes and Doubts hereafter follow, together with the Answer of the two Deemsters and 24 Keys."

Hitherto it has been shewn how the antient laws of the Island were first declared and written by the Deemsters, with the aid of the 24, and how they were afterwards ratified and established by the Lord; with regard to the objects embraced by those laws, they were such as were sufficient for the existing state of the Insular Society, no other laws being so much as alluded to, as having any force in the Isle of Mann. But now it will be necessary to shew how, when these old laws became insufficient, new ones were enacted.

"At the Tinwald holden the 24th of June, 1629."

"As in every well-governed Commonwealth wholesome Statutes, Orders, and Laws, answerable to the times, are usually invented, prepared, and enacted, for prevention of such present and future inconveniences and losses, as the Magistrates find the Members thereof to be subject unto, and to suffer; so the Government of the Inhabitants of this Isle being exemplary of antient customs, provided for by the like Ordinances: we, therefore, the Captain, Deemsters, Officers, and 24 Keys, having advisedly considered the manifold misdemeanours committed in these times to the ruin of the Commonwealth, doe for remedy thereof enact, and publish to be executed for Law henceforth, as followeth." Here follow sundry new laws, and at the end of the recital, "All these confirmed by my Lord Strange, as in the Exchequer Book, 1630, appeareth."

As this was an important and interesting era in the history of these kingdoms, I shall make some further remarks upon it, so far as regards the Isle of Mann. It was in this year, 1629, that the King dissolved the Parliament, on account (as he expressed himself in his speech) of "the undutiful and seditious carriage in the lower House." Charles was beheaded 1648: the Lord Strange above named was afterwards Earl of Derby, and was beheaded at Bolton, three years after the martyrdom of Charles.

This brave and loyal subject was also a wise and good King, as the sound and wholesome laws he has left on record in the *Manks Statute Book* bear witness: but he was also a man of letters; and in *Peck's Desiderata Curiosa* are several fragments addressed to his son Charles, from the Isle of Mann, throughout which fragments there breathes the spirit of a brave man, an affectionate father, a prudent prince, an acute and experienced observer of human nature in action, a profound philosopher, and a good Christian; in one word of a great man. The account in the *Desiderata Curiosa*, after a detail of some previous occurrences, which had taken place in England, goes on thus: "Upon information that the enemy had a design upon the Isle of Mann, he was ordered thither for the security of the place, and went accordingly, having first made some necessary provisions of men, moneys, and ammunition for the protection and defence of his incomparable Lady at Lathom, to whose charge he committed his children, house, and other his English concerns. During his residence in the said Isle he wrote the following account thereof, and of his own proceedings there, by way of letter to his son Charles, Lord Strange, and had he not been prevented by the troublesomeness of the times, had much farther enlarged it." Of this account the following are extracts, a few only out of many worthy to be read, if not for the study of history, yet for the sake of philosophy and political economy.

"The Kingdom of Mann belongeth to the House of Derby, in which family the Lord continue it, while men live on earth. It hath heretofore been governed by Kings, natives and others, sometimes conquered, and sometimes gallantly defended. There have certain wise men dwelt there, who were called Druids. But when St. Patricke came here, they had no further power; but being taught Christianitie they became Christians, and so have continued to this day. It was given by Hen. 4th to Sir John Stanley, who was called King of Mann."

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"The Lord appoints a Governor, who hath the power of the Lord in his absence. He keepeth the Chancery Court, where he sitteth Judge. There be two Deemsters or Judges also chosen by the Lord, most commonly natives by reason of the language: they be judges of the common law. There are four and twenty

called Keys, who in all matters concerning the country are advised withall: sometimes there be four of every parish joined with them by order of the Lord, when any great matter concerning the land is in hand. But more particularly hereof, if I have leisure, when I will annex hereunto some more perfect description of this Island and Lawes; and before I proceed further in my intended discourse, I thinke fit to tell you, as briefly as I can, the occasions of my coming thither this time."

Here follow his reasons for leaving the scene of action in England, and he seems to have been sorely divided between his desire to secure the Isle of Mann, and his reluctance to leave the King. But his desire, as he expresses it, "to save this Island, which might serve for a retreat should the King come to the worst," overcame all his scruples, and he sailed thither in person, utterly regardless of the slander of those, who seemed ready to tax him with desertion of the royal cause; of them he said to his son, "I thanke God, I fear none, who understands me, or who understands me not." He then goes on to say, "Meanwhile I received letters from the Isle of Mann, intimating the great danger of a revolt there; for that the people had begun the fashion of England in murmuring, and by some damned spirit had been taught the same lessons as I have known in London, to come in tumultuous manner, desiring new laws, a change of the old, that they would have no Bishops, pay no tithes to the Clergy: they despised authority, and rescued some committed by the Governor, and the like." In another letter he says, "The Almighty sent me in good time hither; for by most it was believed that a few days had ended the happy peace which this Island had so long enjoyed." Again, in another letter—

"No subject that I know hath so great royaltie as this, and lest it be thought too great, keepe this rule, and you will more securely keepe it. Fear God and honour the King. Have this in your thoughts *first*, to choose a reverend and holy man to your Bishop, who may carefully see the whole Clergie doe their duties. It hath been a custom, heretofore, that such persons have been chosen to the place, who were already beneficed in England, to the end they might better be enabled to live with reputation, and honour to the country. But I have considered a farther matter in it; for by the law and custom here, the Lord and Bishop

agreesing might lease any part of the Bishoprick for 21 years, for lives, or farther time; which hath usually been done, and at this time it is so: whereby you see few Bishops have at any time enjoyed the full benefit, and have contented themselves to be called Lords; but in a few years the leases will be expired, and then the Bishopric will be worth the having, and, considering the cheapness of the place, I know few Bishops in England can live better than he, the whole being entire; nevertheless I would not lose the power thereof, but to keep up my prerogative, unto which of all things have a most especial regard, you may give way to leasing some petty thing or other of little moment. One of the chief things I herein consider is, that if the greatest part of a Bishopric be leased you will find few worthy men desirous of the place, and if men be beneficed already, they will seldom live in the Isle, which indeed I would have the whole Clergy obliged unto; for so will they do God more service; they will relieve and instruct the poor people better.

"I had a design, and God may enable me, to sett up an Universitie, without much charge (as I have contrived it) which may much oblige the nations round about us: it may get friends into the country and enrich this land; this certainly will please God and man: but of this I shall tell you more, when it please the Lord to settle me again in my own.

"This Isle will never flourish untill some trading be, and though you may invite strangers or natives to be merchants, yet never anything will be done to purpose till yourself do lead, and therefore get some sum of money, as, God willing, I shall; for I rather will sell land in England, than miss so excellent a design. There is no doubt, but hereby you may enrich yourself, and others under you: your people may be set a work, that in a short time you will have no beggars; where one soul is now, will be many: every house almost will become a town; every town a city; the Island full of ships, This country is so seated, as I cannot conceive, but all this is very feasible: when I go on the Mount, you call Barroull, and but turning me round can see England, Scotland, Ireland, and Wales, I think shame so fruitlessly to see so many kindgdoms at once (which no place, I think, in any nation, that we know under heaven can afford such a prospect) and to have so little profit by them. But I have considered hereof, and

find as I think the reason. The country is indeed better than I was told. For which I blame myself, that I formerly enquired so little of it: for indeed he, who seeks not to know his own, is unworthy of what he hath: but I well remember, who told me, it was so little worth; even those, who have thriven by it: a master, whose servants prosper under him, is commended; but when they thrive unknown to him, and he thrives not also with them, the wisdom of the one and the honesty of the other will be suspected.

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“I cannot brag of good breeding, as, God be thanked, you may and that is to you more than half of all I leave you. You know my instructions to you. In the first place to fear the Lord as the beginning of true wisdom; and I know you are taught it of Mr. Rutter, for whom both you and I may thank God. The method of your teaching you may well remember: when God blesseth you with children, you may yourself give rules unto their teachers. Nevertheless lest you forget any of it, I may haply desire Mr. Rutter to set it down in writing, that you may keep the same by you with this: and if others, when we are dead, pretend to greater knowledge, and a new way of teaching, you may compare his great skill with our true loves, of which these and the like endeavours shall be our witnesses.”

These are a few extracts from Lord Derby's letters to his son, which I now proceed to illustrate by some other extracts from laws passed at this time, and afterwards, by himself in the Isle of Mann. It was in the year 1643, when he said, “The Almighty sent me in good time hither, for by most it was believed that a few days had ended the happy peace, which this Island had so long enjoyed.” And in another part of the same letter he describes to his son the policy he had adopted when the people came to him “in a tumultuous manner, desiring new laws, a change of the old,” with complaints against the Bishop and Clergy, how he had attentively listened to all these complaints, “and had answered them with fair words,” till he had fortified Castle Rushen with a strong garrison; and then having appointed a day for hearing and deciding upon these alleged grievances, that he ordered the people to assemble, not at the Tinwald Mount, as usual, but before the Castle gates; for not being prepared to make the smallest

compromise of justice, it was necessary that he should be in a position to enforce his own orders: in all this the Earl had learnt a lesson in England, which, when called upon to suppress the first risings of a rebellious spirit in his little Island-Kingdom, he did not forget; the example of his unhappy Sovereign was not lost upon him; and while he proceeded according to the strictest rules of equity, he yielded nothing to popular clamour. In describing the Constitution of the Island to his son, he said, that there were sometimes four of every parish joined with the 24 Keys, "when any great matter concerning the land is in hand." Following therefore this rule of justice, while prudently speaking to rebel subjects with a drawn sword, he redressed the grievances of both sides in a manner, which this statute will shew.

"Insula Monæ.

"Apud Castrum de Rashes;
xxx die Octobris, 1643.

"Whereas before this time, at Peele town, the 18th day of July, 1643, before the Right Honourable James, Earl of Derby, Lord of the said Isle, &c., the Officers Spiritual and Temporal, with the 24 Keys of the said Island, and four men of every parish, were assembled together to advise and consider of certain grievances of the Church and Commons of the said Isle, laid down and expressed in and by their several petitions and complaints unto his Lordship, and to study and devise such convenient remedy and redress therein as might best stand with the maintenance of his Lordship's prerogatives, the good and welfare of the Church and Commons, and the peace and safety of the whole state in general; at which place and day it was mutually condescended and agreed unto by all parties, and it was their humble desires that his Lordship should decide all their matters of complaint whatsoever, as in his Honour's wisdom shall be thought meet. To which decree every of them, viz. the Reverend Father in God, Richard, Lord Bishop of this Isle, with his Officers Spiritual, and the Body of the Clergy, the said twenty-four Keyes, with the four men of every parish, in the name of themselves, and of the whole Commons of the Isle, by whom they were chosen, did agree for them their heirs and successors to abide such his Lordship's decree. To which end, and for the more perfect performance of the business, according to justice and equity, his Honour (being willing to understand the true state of all their causes and grievances) was

gratiously pleased to give order, that a select Jury or Grand Inquest of twenty-four men, newly chosen, whereof twelve of the 24 Keys to be part, and twelve of the four men of the parishes there present, should be impannelled and sworn to find out and present all such wrongs or abuses, as have been committed against his Lordship's prerogative, the Lawes of the Island, or the good of the Commonaltie."

Here follow the names of the 24 thus chosen, together with the form of their oath, and then—

"All of which as one Grand Inquest, do find and present upon their oaths certain proofs and examinations, which they had taken upon the petitions of the several parishes, the most of which did concern particular abuses of the Clergy, in the collecting of their tithes and duties to the Church, contrary to the known laws and orders of the Island: whereupon his Lordship gave order, that the Clergy should make their answers, and plead their defence against such complaints of the country; which accordingly they have done, and have given his Lordship such satisfaction therein, that his Lordship (for preservation of love and unity betwixt the Clergy and Commonaltie for time to come) thinks fit that those matters of particular grievances on both parts shall be no more remembered: nevertheless, if any of the parties grieved think good hereafter to prosecute their grievances, and put them to a tryal, his Honour will take pains to give his especial order therein for relief of the wronged partie. And whereas, amongst other the complaints of the country, some particular matters concerning the general good are most considerable of Reformation, his Honour was graciously pleased to assemble the Clergy and twenty-four Keys of the Island, with the four men of every parish, to meet this day, being the 30th day of October, 1643, at his Castle of Rushen, where accordingly they did appear, and then and there upon their ensuing business (agitated and disputed before his Lordship) betwixt the Clergy and Proctors upon the one part, and the said twenty-four Keys, and four men of the parishes in behalf of the country upon the other part, his Lordship doth order and declare as followeth."

Ten separate complaints were made against the Clergy, some with, and some without foundation, all of which were decided by Lord Derby in a manner, which cannot be too highly esteemed

for its equity and simplicity. Thus was the whole question of Church dues at that time settled by the Insular Legislature.

In that and the preceding Statutes the Lord seemed to have the initiative in making new laws, but at a Tinwald Court held in 1646, when the Earl was again in the Island, sundry Legislative enactments are made "upon the humble suit of the twenty-four Keys of the Island, the Representative Body of the Country." The last clause of this Statute shews that Lord Derby's solicitude for improvement in the Insular Commerce, concerning which he had written to his son two years before, evinced itself in the laws enacted under him. "Whereas there are several Statutes concerning transportation of corn, cattle, and other commodities, which do not absolutely agree with one another, there shall be transportation of all such goods at such times, as the same shall be thought fit by the Governor and Council of the Island; and to that the Governor and Council shall consult once in every week, what is fitting to be licensed for the good of the country; and if there be complaint made by the country for restraint of such commodities, or of too much license given thereof, then the Governor to call the twenty-four Keyes and Officers of the Island, and to consider of and determine what is or may be most fit to be transported, always considering the general good and safety of the Island.

"JAMES DERBY,"

ET CÆTERI.

In 1647, the year before the martyrdom of King Charles, the spirit of rebellion, which had before crossed the channel to this Island, seems to have possessed the people still more powerfully; and, as Lord Derby wrote in 1643, "the people had begun the fashion of England in murmuring, and by some damned spirit had been taught the same lessons, known in London, to come in tumultuous manner desiring new laws, a change of the old, that they would have no Bishops, pay no tithes to the Clergy: they despised authority;" for in that year, 1647, "it is enacted, that whosoever shall accuse or speak any scandalous speeches against any chief Officer of this Isle, Spiritual or Temporal, or any of the twenty-four Keys, touching either their oaths, or the State and Government, or any other scandalous speeches, which might tend to the defamation of their offices, and be not able to prove it, shall

be fined for every time so offending in ten pounds, and their ears to be cut off in punishment besides."

On the 30th day of January, 1648, King Charles the Martyr died upon the scaffold.

The Earl of Derby had some time before that event retired to the Isle of Mann.

The following extracts from a work published in 1836, by Mr. Coleridge, entitled "The Worthies of Yorkshire and Lancashire," will give an interesting and instructive account of the death of this great man. After the raising of the siege of Lathom House, An. 1644, "The Earl and his Countess returned together to the Isle of Mann. For Derby and his Consort, the following years were years, not of peace, but of comparative inaction. Cooped up in their diminutive kingdom, where they were honoured as patriarchal Princes, they had defiance to the fleets, the threats, and the persuasions of Parliament. Even when their children, whom they had sent into England on the faith of a pass from Fairfax, were detained in captivity by the ruling powers, though repeated offers were made to restore them, with the whole of the English Estates, if the Earl would give up his Island: he constantly answered, that much as he valued his ancestral lands, and dearly as he loved his offspring, 'he would never redeem either by disloyalty.' Nor did they change their resolution, even when the King, for whom they held their rocks and little fields, was no more, and his son a wandering exile. Angry at solicitations, which implied an insult to his honour, Derby returned the following reply to that fierce republican, Ireton, who had urged the old proposal with renewed earnestness:—

"I received your letter with indignation, and with scorn I return you this answer: that I cannot but wonder whence you should gather any hopes from me, that I should (like you) prove treacherous to my Sovereign; since you cannot be insensible of my former actings in his late Majesty's service; from which principle of loyalty I am no way departed. I scorn your proffers; I disdain your favours; I abhor your treasons; and am so far from delivering this Island to your advantage, that I will keep it to the utmost of my power to your destruction. Take this final answer, and forbear any further solicitations; for if you trouble me with any more messages upon this occasion, I will burn the paper, and hang the bearer.

“ ‘ This is the immutable resolution, and shall be the undoubted practice of him, who accounts it the chiefest glory to be

“ ‘ His Majesty’s most loyal and obedient subject,

“ ‘ DERBY.

“ ‘ Castle Town, 12 July, 1649.’

“ He remained in the Isle till 1651, when the younger Charles entered England at the head of a Presbyterian army, governed by Presbyterian preachers, with which it was impossible for the English Royalists cordially to co-operate. But Derby’s loyalty had no reservations: his oath of allegiance contained no proviso for the case of a King bringing the solemn league and covenant along with him. At the request of Charles, (who sent him the Order of the Garter,) he left the Island, and landed in Lancashire, to join in as unpromising an enterprize as ever threw away good lives. Having sent forth trusty emissaries in all directions to announce his arrival, and call his cavaliering friends and neighbours from their retreats, two or three days after he parted with the King he fixed his quarters at Wigan, to wait the coming up of the musters. But the next morning he was unexpectedly attacked by a large body of militia and regulars under Lilburn, whom Cromwell had detached to hang upon the king’s rear, and prevent the junction of stragglers. Derby’s ‘band of brothers’ were set upon in an irregular street, which enabled them to make a prodigious stand against over-running numbers. ‘Three thousand veterans, practised in war’s game,’ were barely sufficient to cut to pieces, and trample under foot, two hundred loyal English gentlemen. In this skirmish the Earl received seven shots in his breastplate, thirteen cuts in his beaver, and five or six wounds in his arms and shoulders, and had two horses killed under him. Yet his time was not yet come. He escaped almost singly, and found his way through Shropshire and Staffordshire, to join the King at Worcester.

“ Of the result of the third of Sept., and the subsequent wanderings and escapes of Charles, who in this land of oaks is ignorant? It was Derby that with cold and bleeding wounds led the King in secrecy to St. Martin’s gate, and directed him to the concealments of White-ladies and Boscobel, where he himself had found shelter not many days before. He then made for his own country, though sick of heart, and wounded sore; but scarcely had he gained the

the borders of Cheshire, when he was overtaken by a party under Major Edge, to whom he surrendered, under a promise of quarter. He was led prisoner to Chester. The Parliament sent down a Commission of nineteen persons, selected from the military, who formed a sort of court-martial, styled, 'a High Court of Justice,' in order to 'try the Earl of Derby for his treason and rebellion.' Of course the Earl was found guilty, and condemned to die; but by an unnecessary aggravation of cruelty, the execution was appointed to take place in his own town of Bolton-le-Moors, where a few years ago he appeared a conqueror. He was beheaded on Wednesday, the 15th of October, 1651. Two days before his death he wrote a letter to his Countess, which we will give entire:

"My dear Heart,—I have heretofore sent you comfortable lines, but alas I have now no word of comfort, saving to our last and best refuge, which is Almighty God, to whose will we must submit; and when we consider how he hath disposed of these nations, and the government thereof, we have no more to do but to lay our hands upon our mouths, judging ourselves, and acknowledging our sins, joined with others, to have been the cause of these miseries, and to call upon him with tears for mercy.

"The Governor of this place, Colonel Duckenfield, is General of the Forces, which are now going against the Isle of Mann; and however you might do for the present, in time it would be a grievous and troublesome thing to resist, especially those that at this hour command the three nations; wherefore my advice, notwithstanding my great affection to that place, is that you would make conditions for yourself, and children, and servants, and people there, and such as came over with me, to the end you may get to some place of rest, where you may not be concerned in war, and taking thought of your poor children, you may, in some sort, provide for them: then prepare yourself to come to your friends above, in that blessed place, where bliss is, and no mingling of opinions.'

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"It now behoves us to say a few words of the subsequent fate of the woman to whom this writing was addressed. After her husband's death she still held out her domain of Mann, ruling it with a broken fortune, broken health, broken heart, but unbroken spirit, till those Christians, to whom the Earl at his leave taking

had committed the care of his wife and children, and of the island forces, betrayed it to the government. Then was the Countess for a time a captive, and afterwards a wanderer, subsisting on such kindness as the poor can bestow on the poorer still. At the restoration, the estates reverted to her eldest son, and she spent the short remnant of her days at Knowsley Park. She died in 1662.

“Mr. Bagaley, one of the Earl’s gentlemen, who was allowed to attend him to the last, drew up a narrative of his dying hours, the manuscript whereof still remains in the family.

“Upon Monday, October 13th, 1651, my Lord procured me liberty to wait upon him, having been close prisoner ten days. He told me the night before, Mr. Slater, Colonel Duckenfield’s Chaplain, had been with him from the Governor, to persuade his Lordship that they were confident his life was in no danger; but his Lordship told me he heard him patiently, but did not believe him; for, says he, ‘I was resolved not to be deceived with the vain hopes of this fading world.’ After we had walked a quarter of an hour, he discoursed his own commands to me, in order to my journey to the Isle of Mann, as to his consent to my Lady to deliver it on those articles his Lordship had signed.

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“After we were out of town, the people weeping, my Lord, with an humble behaviour and noble courage, about half a mile off, took leave of them; then of my Lady Catherine and Amelia upon his knees by the road side, (alighting for that end from his horse,) and there prayed for them, and saluted them, and so parted. This was the saddest hour I ever saw, so much tenderness and affection on both sides.

“That night, Tuesday, the 14th October, we came to Leigh; but in the way thither, his Lordship, as we rode along, called me to him, and bid me, when I should come into the Isle of Mann, to commend him to the Archdeacon there, and tell him he well remembered the several discourses that had passed between them there, concerning death, and the manner of it; that he had often said the thoughts of death could not trouble him in fight, or with a sword in hand; but he feared it would something startle him tamely to submit to a blow on the scaffold. ‘But,’ said his Lordship, ‘tell the Archdeacon from me, that I do now find in myself

an absolute change as to that opinion : for I bless God for it, who hath put this comfort and courage into my soul, that I can as willingly now lay down my head upon the block as ever I did upon a pillow.'

* * * * *

"Then we went to prayer, and my Lord commanded Mr. Greenhaugh to read the Decalogue, and at the end of every commandment made his confession, and then received absolution and the sacrament: after which, and prayers ended, he called for pen and ink, and wrote his last speech.

"When we were ready to go, he drank a cup of beer to my Lady, and Lady Mary, and Masters, and Mr. Archdeacon, and all his friends in the Island, and bid me remember him to them, and tell the Archdeacon he said the old grace he always used, &c.

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"Some remarkable passages in my Lord's going to the scaffold, and his being upon it with his last speech and dying words.

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"Now I must die, and am ready to die, I thank my God with a good conscience, without any malice, or any ground whatever, though others would not find mercy upon me upon just and fair grounds; so my Saviour prayed for his enemies, and so do I for mine.

"As for my faith and religion, thus much have I at this time to say: I profess my faith to be in Jesus Christ, who died for me, from whom I look for my salvation, that is, through His only merit and sufferings. And I die a dutiful son of the Church of England, as it was established in my late master's time and reign, and is yet professed in the Isle of Mann, which is no little comfort to me.

"I thank my God for the quiet of my conscience at this time, and the assurance of those joys that are prepared for those that fear him. Good people pray for me, I do for you; the God of heaven bless you all, and send you peace; that God that is truth itself, give you grace, peace, and truth. Amen.' So he laid himself down with his neck to the block, and his arms stretched out, saying,

'Blessed be God's glorious name for ever and ever. Amen. Let the whole earth be filled with his glory. Amen.'

And then, lifting up his hands, the executioner did his work, and no manner of noise was then heard, but sighs and sobs.’”

“The Earl of Derby,” says Clarendon, “was a man of unquestionable loyalty to the late King, and gave clear testimony of it before he received any obligations from the court, and when he thought himself disobliged by it. He was a man of great honour and clear courage; and his defects and misfortunes proceeded from his having lived so little time among his equals, that he knew not how to treat his inferiors, which was the source of all the ill that befell him; having thereby drawn such prejudice against him from persons of inferior quality, who yet thought themselves too good to be contemned, that they pursued him to death.”

Such is the character given by Clarendon of this great and good man, which we are bound to suppose impartial; but when we read those laws proposed and enacted by him in the Isle of Mann, marked as they all are by a spirit of the severest justice and tenderest regard to his people’s welfare—when we see that Island enjoying under his care the blessings of quiet and good order in its civil government, as also the far greater blessings of peace and unity in its Church—when we see himself and his noble Lady honoured among that poor but honest people, “as patriarchal princes,” while a *regicide* ruled the destinies of England, Ireland, and Scotland—when we hear him on the scaffold, certainly with the proud bearing of a gallant soldier, expressing the loyal spirit of an English nobleman, the fervour of a patriot, the tenderness of a woman for his friends and relatives, the charity of a saint towards his enemies, and the humble resignation of a Martyr, it is difficult to picture him as one, who “knew not how to treat his inferiors.” But, however he may have been esteemed in the Court of Charles, in the Isle of Mann his name must be ever held not in honour only, but also in love; to him we owe a name untarnished by the damned spot of rebellion against our King and Church; that page, which in England’s history is traced in the blood of her best and noblest—that page is in Mona’s history, and by the hand of her own prince, *illuminated* with the golden letters of paternal, just, and salutary laws. No: Derby “knew how to treat his inferiors:” he knew too how to treat his enemies, the enemies of his country: he knew too how to say, “I thanke God I fear none, who understands me, or who understands me not.”

"Justum ac tenacem propositi virum,
 Non civium ardor prava jubentium,
 Nec vultus instantis tyranni,
 Mente quatit solida,
 Si fractus illabatur orbis,
 Impavidum ferient ruinæ."

In 1652, Parliament granted the Island to Lord Fairfax, who governed it by Commissioners, after the cause of the noble Lady, who defended it, had been betrayed. This was the first and the last interference on the part of Parliament in the internal affairs of the Island; in what light that interference was afterwards regarded will presently be seen. During this interregnum of fourteen years, the Statute Book is silent till 1661; the year following the Restoration of Charles II. In this year 1661, Samuel Rutter was sworn Bishop; he had been Archdeacon, and had in that capacity governed the Church with great prudence during the civil wars: "he was a man," says Sacheverell, "of exemplary goodness and moderation." He had been the favourite companion of the late Earl before he left the Island for the last time, and had been also the tutor of his eldest son: the Earl's letter to that son (of which extracts have been given) will show how highly he esteemed Mr. Rutter; when therefore at the Restoration he succeeded to his Father's Government, he remembered the advice he had formerly received from that wise and careful parent; when counselling him upon the prudent management of the trust, which would one day descend to him, he said, "have this in your thoughts, *first*, to choose a reverend and holy man to your Bishop, who may carefully see the whole Clergy do their duties:" the young Earl of Derby remembered this paternal advice; and his very *first* Act, when together with his Royal Master he had "his right again," was to appoint to the vacant See that "reverend and holy man," who had been his Father's friend and councillor in a time of trouble, and who having as Archdeacon so "carefully seen the whole Clergy do their duties," that his Father upon the scaffold was enabled to rejoice and thank God that, at a time when the truth as well as the soberness of religion, seemed to be rooted out of all the land of England, both "were still professed in the Isle of Mann." In his time certain "necessary orders" were "enacted and published" at the Tynwald Court, but without the usual con-

firmation of the Lord: this was the case in two Tynwalds: from which circumstance it would appear, that though the young Earl had been enabled to perform his *first* duty, yet that the confusion of the times was still so great, the Insular Legislature was compelled to act without him for the peace and good order of the country.

During the unhappy Civil wars the work of destruction commenced under Henry VIII. had been completed, and when the Castle of Peel had been besieged by the Parliamentary forces, the Cathedral of St. Germanus, which is within its walls, had been left, like Rushen Abbey by the reformations of Henry, a melancholy proof how much more easy it is for man to pull down than to build up; the Abbey Church of Rushen had been 120 years in building; and the Cathedral commenced by Bishop Simon, Anno 1230, was the resting place of many of his successors in the See, before it was completed; but one blow of a sacrilegious hand had buried either in its own ruins, and their broken walls now stand the “*monitus locorum* of ruder perhaps, but not less pious ages,” when Catholic faith and Catholic devotion were held to be more acceptable in the sight of Him, who “is not unrighteous to forget” our “work and labour of love, which” we shew “towards his name,” than those “devouring reformations,” which were wrought by “the destructive knowledge of the 16th century;” by the blasphemous spirit of the 17th; or than those endured by the cold apathy of the 18th; or than those, which are threatened by the suicidal madness of the 19th, more widely destructive than they all—more widely destructive than they all; for what our enemies force from us we may regain, but what we ourselves toss to the winds will never be borne back to us. But the ruins of those pious foundations are to those, whose scene of labour is now fixed in the Church of Mann, “*monitus locorum*” not to be lightly passed over. “*Monitus*” to them, how one by one their Church has lost her strongest bulwarks and her fairest ornaments: “*monitus*” to them, the successors and descendants of those brave defenders of their Church and Country, that as Rushen Abbey was the *last* religious House, which fell under *regal* tyranny, so was Peel Castle the *last* place of strength, which surrendered to *Parliamentary* forces; and that, till it fell by treachery *within*, a woman held it: and “*monitus*” they are, with many, many a mouldering arch and ivied tower, “*monitus*” to *all*, not to scatter

abroad, but to gather together; not to destroy, but to rebuild, and beautify, and heal the breaches of Zion.

Bishop Rutter died 1663, "and was buried," as Bishop Hildersley's MS. says, "under the uncovered steeple of St. German's, then in ruins, with this Epitaph on a brass plate—

'In hac domo quam à vermiculis
Mutuò accepi confratribus meis
Sub spe Resurrectionis ad vitam
Jaceo Samuel, Permissione divinâ
Episcopus hujus Insulæ,
Siste Lector vide, et ride,
Palatium Episcopi.

An. 1663.'"

After the death of Bishop Rutter, the Earl of Derby still mindful of his father's injunctions, appointed another "holy and reverend man" to the vacant See: this was Isaac Barrow, of whom so much has been said in the history from p. 36 to 49, as also in the account of King William's College, p. 65. The Clergy of the Isle of Mann, who owe to Bishop Barrow all their learning, and who now live upon his bounty, are witnesses of the blessing, which in this, as in all other cases, has been the sure attendant upon acts of filial piety. The injunctions indeed of the murdered Earl seem to have been handed down from father to son for generations after he was gone: his grandson appointed Bishop Lake, who after his translation to Bristol was one of the seven holy Confessors committed to the Tower by James, and who afterwards was found in that goodly fellowship of Non-Jurors, men, whose equals the Church of England has never seen before or since. Another Grandson, brother and heir to the last, appointed Bishop Wilson—a remarkable instance of four men so distinguished for their "holy and reverend" lives appointed to be Bishops of this remote and poor See within a period of little more than thirty years; and it shows that the Son and the two Grandsons, when called upon in succession to take charge of their little Island-kingdom, obeyed the paternal counsel—"have this in your thoughts, *first*, to choose a reverend and holy man to your Bishop, who may carefully see the whole Clergy do their duties."

An. 1664 Bishop Barrow being both Bishop and Governor, the first Act of Tynwald was to re-establish the antient Laws, and

annul all those of the Commissioners of Lord Fairfax. "At a Court of Tynwald, the 23rd of June, 1664, before the Rt. Rev. Father in God, Isaac, Lord Bishop of Sodor and Mann, and Governor of the Isle, Henry Nowell, Esq., Deputy Governor of the same under his Lordship; and before the Officers, Deemsters, and 24 Keys, the Representative Body of the said Isle; these ensuing Orders, Acts, and Statutes were enacted and proclaimed, as wholesome Laws to be observed in this Island in future."

"Whereas there were certain Acts prepared and ordained, as appears in the Exchequer Book for the year 1655, which being in the time of the late usurped Government, the same Acts are now revised and enlarged with the stile of this Court of Tynwald, now holden under the Right Honourable Charles, Earl of Derby, Lord of Mann and the Isles, the true and undoubted Lord and Patron of the same Isle, and the said former Acts of 1655 to be reputed invalid, and cancelled for the future, and these now made to be the true and only Records and Statutes, as followeth." To these Statutes is attached the confirmation of the Lord, as in former times before the usurpation.

"These lawes, made and subscribed by my Officers of the Isle of Man, I do allow and approve of, and give my assent, that from henceforth they doe become Lawes. Given under my hand at Knowsley this 16th of June, 1665.

"CHA. DERBY."

Such was the first Act of the Insular Legislature, when its antient rights were restored: the second Act in the same year, 1665, shows how from time to time the Insular Legislature has revised its laws.

"Notwithstanding the several Statutes and Ordinances already contrived and made at sundry times for Laws to be observed within this Isle, experience nevertheless finds it requisite by the observation of several occurrences in the progression and transaction of divers matters beside what the necessity of the times doth require, that further Orders and Laws be enacted, some to be repealed, and other to be enlarged and explained, as the present Government, with the approbation of the Right Honourable the Lord of this Isle, shall think fit and requisite to be put in execution."

"We, therefore, the Right Rev. Isaac, Lord Bishop, and Governor of this Isle, Henry Nowell, Esq., Deputy Governor, with

the Deemsters and Officers of the Lord's Councell, and the 24 Keys, the Representative Body of the said Isle, being convened and assembled, have and do by and with the approbation of our Honourable Lord as aforesaid, (to which end these Acts are first in all humbleness proposed,) order and enact for wholesome Laws to be observed and executed within this Isle as followeth." These Laws, being confirmed by the Lord as the last, were proclaimed upon the Tynwald hill before the people. At a Tynwald Court held in 1667, an example was given of the power of the initiative being vested both in the Lord and the Legislature, also of the general authority of the laws now in use, both civil and spiritual. At this Court five Statutes having been proposed to the Lord for his confirmation, he did so in the usual manner, making this addition, "And I have thought fit to propose these ensuing Orders to my Governor, Officers, Deemsters, and 24 Keys of my said Isle, for their perusals and subscriptions; that my intention thereby may be extant to future ages, it so much relating to the good of my Island, and the people thereof in general."

Among these "Orders" is the following: "Having had information given me that by reason of several cross Statutes yet extant upon Record, and also of pretended Customs and Breast-laws, contrary sometimes to the Statutes in force, my people are much distracted in their affairs, These are to require my Comptroller, Deemsters, and all other my Officers, which are best acquainted with the Laws and State of my Island, together with the advice and assistance of the 24 Keys, to make an exact enquiry into the Statutes, that such as are found fit to be abrogated may forthwith be repealed, and the rest that are necessary for the Government of the Island, together with such customs as are thought worthy to be translated into laws, may be wrote fair into a Book, and made the rule of proceeding in all cases. The same course I require also to be taken with the Ecclesiastical Statutes by the Spiritual Officers, with the advice and assistance of such knowing persons, both of the Clergy and Laity, as shall be thought fit to be joined with them by the Bishop of my Island."*

* By this procedure on the part of the Lord of the Isle, it will be seen that the Church had regained at least a portion of her antient authority since 1594, when "Articles" were "delivered to the Vicars General by the Captaine of the Isle."

These Orders, laid before the Legislature by the Lord, were agreed to by that authority, and accordingly acted upon: by them the internal affairs of the Island appear to have been so well regulated, that no new Statute of any consequence was enacted till 1696, when the following remarkable one, entitled "An Act against non-residence," shews clearly that whatever civil power was exercised over the temporalities of the Church, was exercised by the Insular Authorities, and no others.

"At a Tynwald Court holden 1696,

"Whereas it is observed, that severall great inconveniences have attended this Isle by reason of the Bishop, Archdeacon, Clergy, Temporal Officers, Soldiers, and others, often withdrawing themselves from their respective duties within the same, for prevention whereof for the future be it enacted by the Governor, Officers, Deemsters, and 24 Keys, that every Bishop, Archdeacon, Parson, or others who now hold and enjoy, or hereafter shall hold and enjoy the Bishoprick, Archdeaconry, or any Parsonage, or such like Ecclesiasticall promotion within this Isle, to the value of ten pounds per annum or upwards, as also every Temporal Officer enjoying any Office under the Right Honourable Lord of this Isle, shall personally reside within this Isle, upon their respective Promotions, Benefices, or Offices, and if any of them shall at any time be non-resident, or not inhabit within this Isle, but shall be found wilfully to absent him or themselves (wind, weather, health, and convenient shipping permitting) above the space of four months, (to be accounted at several times in any one year,) such person so offending shall for the first offence forfeit the full value of one half-year's profit of his said Benefice or Office, to be levyed and disposed of in manner as by this Act is hereafter mentioned: and if any person before-mentioned be found to offend in the like nature afterwards, for every such second offence he shall forfeit the full value of one whole year's profit, and be declared incapable of receiving any further benefit thereof untill such time as he so offending shall return to his duty: all such forfeitures to be disposed of for such pious, charitable, and public uses as the Governor and Council shall have directions from the Lord of this Isle concerning the same." In this Act there is, doubtless, a strange confounding of Spiritual and Temporal Officers, as if a Bishop and a soldier held their commissions under the same

authority, and were amenable to the same tribunal: it was a direct usurpation of the Civil Power over the Spiritual in a most important point of discipline, such an usurpation as had not been known but once before and never since in the Isle of Mann, and can only be accounted for by the fact that there was no Bishop at that time, the See had been vacant five years, and Wilson did not accept the charge till the year following, though it had been for some time often and earnestly pressed upon him; the discipline of the Church therefore being such as Sacheverell in his letter to Bishop Wilson described it to be, there being in fact no Government at all, the Civil Power took upon itself to reform some abuses within it. As therefore on the one hand this Act tells nothing against the Constitutional Independence of the Manks Church, as may be hereafter farther shewn, so on the other it proves that whatever control the Civil Power may assume over the *temporalities* of the Church in the Isle of Mann, that control rests in the Insular Legislature and no other.

Again, this Act against non-residence, though passed so far as the Church was concerned, without the proper authorities, is nevertheless the law of the land, and having been received and acted upon by Bishop Wilson and all his successors, is to all intents and purposes the law of the Church: it cannot therefore be annulled, but by the same authority, which passed it; nor can that authority be put by any superior power into such a position, as to be *compelled* either to annul its own Act, or to remain content with receiving the fine imposed (the highest Spiritual Officer living the while under a direct violation of one of those laws, which on his installation he is sworn to maintain*) without an open breach of the Insular Constitution. Again, the Sovereign is

* Part of the oath administered to the Bishop of Mann at his installation is this:—"To my power I shall defend and maintain the antient laws, statutes, and customs, proper and belonging unto this Isle. And with my best advice and counsel be aiding and assisting to the Governor of this Isle for the furtherance of the Government and benefit of the said Isle. So help me God." Bishop Wilson after having taken this oath offered up the following prayer, "O God, the King of all the earth, grant that no breach of this oath may ever rise up in judgment against me. Look down in mercy upon this part of thy dominions; put a stop to all growing evils, and to the judgments that must follow."

bound, as long as that Insular Constitution exists, to maintain and defend its laws, but if called upon to give the Royal assent to an Act of Parliament, which sets any one of those laws aside, he is called upon to violate his conscience, *not* in his *legislative*, but in his *executive* capacity. Thus then by an Act of the British Parliament over-riding the Manks Legislature on this particular point, we shall have a King and a Bishop living under, *quasi* legalized, but not the less flagrant perjury: there is certainly one, but only one, alternative to this, which is, that the Bishop of Carlisle should reside eight months of every year in the Isle of Mann; should Parliament not repeal its Act of last Session, such an arrangement might be suggested, for the counties of Westmoreland and Cumberland are not so large as some others, and two or three resident *Archdeacons* with "respectable incomes" might "exercise an effectual superintendence" over them.

Two years after the passing of this last mentioned Act, Bishop Wilson accepted the Bishopric: his labours for the Spiritual Estate of the Island have been mentioned in the history: but it must be shewn in this place how as the Lord Spiritual of the Insular Constitution he brought his "advice and blessing to the counsels of the Temporal" Estate. In a petition lately presented to parliament, and given in full in this Appendix, from Members of the Manks Bar, are these words: "The Bishop has ever been an influential Member of the Legislature, and your Petitioners cannot in their knowledge or experience point out a single instance in which that influence has not been exerted to the public good, whilst their daily practice as lawyers calls upon them continually to remember with gratitude, that it was the benevolent counsels, persevering exertions, and benign influence of their excellent Bishop Wilson, which were mainly instrumental in procuring the most important Act of the Manks Legislature, the permanent settlement of their Estates descendible from ancestor to heir." One of the Bishop's Biographers says, "In the year 1703 (the same year in which were passed the Ecclesiastical Constitutions) he obtained the Act of Settlement of which mention is made in his History of the Isle of Mann; but his great modesty would not permit him publicly to say that he was the author of that benefit to his Diocese, though it was attained solely by his indefatigable pains and application."

He would not "*publicly*" acknowledge the part he had taken in procuring this Act; but the following extract taken from his private Memorandum-Book will shew how he felt upon it, when in his closet with the door shut he spoke and wrote in secret: "Sept. 6, 1703. Blessed be God for his favours. On this day I was, I hope, an happy instrument in bringing the Lord of Mann and his people to an Agreement; his Lordship having thus condescended to settle them upon a certain tenure, or rather to restore them to their antient tenure, which has been uncertain for more than one hundred years. What the consequence may be, I know not; but this I know, that I have acted uprightly in this whole affair, which God be praised for." "What the consequence" has been the learned Members of the Manks Bar, who declare publicly one hundred and thirty three years after the transaction, that "their *daily* practice as lawyers calls upon them continually to remember with gratitude" the part the Bishop "acted in this affair," are living witnesses, whose testimony founded upon practical experience is a response to the prayers of the venerable Prelate for the welfare, temporal and spiritual, of the people entrusted to his care. In his history he gives the following account of the Act.

"ACT OF SETTLEMENT.

"The inhabitants are laborious enough; and those who think them otherwise, because improvements go so slowly on, do not see the difficulties that too many of them have to struggle with. Indeed, the present Lord of Mann (Lord Derby) has, to his great honour, removed one of the heaviest discouragements to industry and future improvements. His Lordship, at his accession, found his people complaining as their ancestors had been for more than one hundred years, of the uncertainty of their holdings; they claiming an ancient tenure, which they called, 'The Tenure of the Straw,' by which they might leave their estates to posterity under certain rents, fines, and services, which his officers could not allow of, because of the many breaks that had been made by leases, &c., in that manner of holding. He, therefore, appointed Commissioners to treat with his people in his presence, and at last came to a resolution to restore them by a publick Act of Tinwald, to a tenure of inheritance under certain fines, &c. And the very great improvements which have since been made, shew plainly,

that there wanted such a settlement to encourage industry ; and the present and future ages will have reason to remember it with the greatest sense of gratitude."

In the reign of Queen Anne, 1713, a remarkable instance occurs, shewing the entire independence of the Isle of Mann at that time, not only of the Parliament, but of the Sovereign of Great Britain. It appears from an Act of Tynwald passed that year, that the Queen's Commissioners of Customs complained that foreign goods imported free of duty into the Isle of Mann were afterwards smuggled into England from thence, in consequence of which complaints the Insular Legislature passed an Act for the prevention of this illicit trade, which fell heavily upon all the trade of the Island; but it was passed in the faith, that the produce and manufactures of the Island would be allowed to be imported into England duty free; but Parliament not complying with these terms, the Island repealed its former Act by the following:—

"At a Court holden at Castle Rushen, 25th September, 1718, before the Governor, Councill, Deemsters, and twenty-four Keys of the Island.

"Whereas in compliance with proposals laid before the Hon. Commissioners of her Majesty's Customs to prevent the complaints made by them, touching the exportation of foreign goods from this Island, there was a law made here, 1711, restraining the trade of this Island, in consideration of which law so past and put in execution within this Island, it was hoped and expected that the Parliament of Great Britain would make it lawful for the inhabitants of this Island to import into Great Britain the goods of the growth, product, or manufacture of this Island, free of all customs and duties whatsoever, according to our true intent and meaning in passing the said Act, and according to the proposals laid before the said Commissioners considered and agreed upon by them: and forasmuch as the said Act hath ever since the said time been punctually observed, without any freedom granted to the inhabitants of this Island in respect to their trade with Great Britain, but that the commodities of this Island stand still burdened with the same high duties there as heretofore: therefore we, the Governor, Council, Deemsters, and twenty-four Keys of this Island, do humbly pray the Right Hon. James Earl of Derby, Lord

of the said Island, that the said Act may be suspended, and be it enacted by the Right Hon. James Earl of Derby, the Governor, Council, Deemsters, and twenty-four Keys, that the said Act be suspended for one twelvemonths, and so from year to year afterwards, or untill the freedom of trade for the inhabitants of this Island with Great Britain be granted: and all persons trading to this Island shall be free from the restrictions mentioned during the said term."

This Act was passed by the Legislature, confirmed by Lord Derby, and published at the Tynwald: from this summary of it given in the words of the Act itself, it will be seen that neither the Chamber of Deputies in France, nor any other foreign Legislative Body, could have passed a more independent law. The Sovereign having since this time become Lord of the Isle by the Act of re-vestment, and possessor of these reveuues by purchase, Parliament has acquired a control not *immediate*, but through the Lords of the Treasury, over the imports into the Island, as well as the exports to Great Britain.

The next to this is an Act of an internal nature respecting Church property; it is an Act of the Lord's, founded upon the petition of the 24 Keys, "that improved ground might be freed of the tythe thereof for some number of years towards some satisfaction of their extraordinary charges in that kind, and that the number of three or four might be allowed towards the satisfying of such charges before the same be tythable, but no way to abridge or hinder the Church of their antient dues of tithes." This was passed into a law by Lord Derby. The next instance of internal legislation in Church matters, is "An Act for the encouragement of any Rector or Vicar to build a Glebe house within this Isle." Again, another "Act to enable the Bishop to exchange Glebe lands."

Also, "An Act to prevent clandestine marriages," on which point it may be observed that the Bishop has now in the Isle of Mann a power of granting special licenses, possessed only by the Archbishop of Canterbury in England. The Independence of the Insular Legislature with respect to Parliament is further shown in a case, in which it might be supposed that all people who spoke the English language would be included; this was the establishment of the new Calendar, 1753. To extend this to the Isle of

Mann an Act of Tynwald was passed, called "An Act for regulating the commencement of the year, and for establishing the new Calendar now used in England." This Act begins thus, "Whereas an Act of Parliament hath lately passed in England, importing," &c. and whereas it is the province and benefit of the people of this Isle to conform in this behalf to the said new method of supputation established in England, and the same having been already observed here during the year now last past; yet, nevertheless, it being found necessary to establish the same by a Statute law in this Island, be it therefore enacted by the Most Noble James Duke of Atholl, Lord of Mann, &c. by and with the advice and consent of the Governor, Deemasters, and 24 Keys in this present Court assembled, and by the authority of the same, that," &c.

Such then are the extracts from the Statute Book of the Isle of Mann made in this place, to shew the manner in which, and the authority by which, the Lord of that Island and the Insular Legislature exercised the power of an independent State. But it was found that the free trade of the Isle of Mann was injurious to British revenue; the Duke of Atholl therefore was called upon as a subject in England to deliver up to the Crown of England that regal power which his ancestors had received from the same source. The Isle of Mann, from its exposed position, had frequently changed its masters; it is first found under the Government of Druids; then for a while under the temporal rule of its Bishops; then conquered by a Dane; after a long line of Danish Kings, conquered by the Norwegians; after a succession of Norwegian Kings for 200 years, conquered by Scotland; after a tyranny of various Scotch Lords, conquered by England, and by right of conquest made "part of the dominions," as Lord Coke says, "of the Kings of England." Again after this conquest, granted with all its regalities by those Kings to various English Lords; and at last by Henry 4th vested in the Stanley family, for the honourable service of presenting "two Falcons" at the Coronation of the King of England. This Act of vestment was an Act of free grace on the part of a Sovereign to a subject; when therefore that possession became injurious to the Sovereign, it was fit that that Act should be recalled, and the Island *re-vested* in the Crown. This was the case in the 5th of George 3rd; but a compensation of

£70,000 was granted to the hereditary Lord, the Duke of Atholl, in consideration of his surrender of the revenues and regalities; thus then did the King of England again become the Lord of the Isle of Mann, and the Guardian of its antient laws and Constitution; the latter had remained unchanged by time or conquests; its own motto, "stabit, quocunque jeceris," had been strictly true; for, though tossed from hand to hand through 1400 years, its laws and Constitution had been always "stable;" so that, with regard to them, it might also have adopted the motto of its last race of Lords; and the venerable Deemsters, with their Council of "24 of the best of the Land," might have inscribed over the portal of their Council Chamber, "Sans Changer." Thus it was in the 5th of George 3rd; it now remains to see whether that motto still belongs to the Insular Legislature. The Isle of Man then, though now become by this Act of re-vestment "a part of the dominions of the Kings of England," was still "no parcel of the Realm of England." The laws and Constitution remained the same, but the Head of the Constitution was changed; the Sovereign of Great Britain had become that Head, the King recalled his former grant of the regalities of the Island, and re-invested himself with them; therefore in all Acts passed by the Insular Legislature since that date, 1765, the confirmation of the King has been substituted for that of Lord Derby; and these Acts have been in their nature and object precisely the same as those passed *before* the revestment. One example of the manner in which the Manks Legislature has exercised its independence since the revestment may suffice, especially as that independence was in that instance exercised in a point of the greatest importance, involving the highest principles of justice, viz. in "the explaining and establishing the jurisdiction of the Courts of Law and Equity," and in "the amendment of the Criminal Law."

"At a Tynwald Court holden at Castle Rushen, 22nd day of July, in the seventeenth year of the reign of our Sovereign Lord George the Third, &c. and in the year of our Lord 1777, before his excellency Edward Smith, Esq., Governor-in-Chief and Captain-General, the Council, and Keys of the said Isle."

"An Act for the confirmation of the Act of Settlement, and for the repealing of certain obsolete Laws and Ordinances; for the altering and amending of others; for the explaining and estab-

lishing of the Courts of Law and Equity, and other purposes.”
 “Whereas many of the Laws and Customs of this Isle have been found not only to be defective, but in many instances impolitic, and very inadequate to the purposes of good order and government, it being now thought expedient to repeal all obsolete and useless Laws, which, however properly adapted to more early ages, are now become insufferable and oppressive, and to institute a new arrangement and connection of the most wholesome Laws, retaining every part possible of the Antient Constitution, and being made to bear the nearest resemblance to the system of English Jurisprudence, which is conceived may greatly conduce to the honour, welfare, and happiness of this Isle.”

The Act then recites several antient Laws to be repealed, and one to be revived; it then enacts thirteen new Laws under different heads, entitled “An Act for the giving strangers the privilege of Natives in the recovery of debts cognizable by a Legislature. An Act for the more effectual Confirmation of the Act of Settlement, and the Act of Tynwald explanatory thereof. An Act recognizing the power of the Court of Chancery to regulate its own proceedings. An Act for the better regulation of the proceedings in the Court of Exchequer. An Act for the better regulating the proceedings in the Court of Common Law. An Act for trials in treason and felony, and regulating the proceedings of the Court of general Gaol delivery. An Act for the better regulation of proceedings by Juries before a Court of Common Law. An Act for the better regulation of the interior Police of the Island, and the recovery of small debts before the High Bailiffs. An Act for the ascertaining of Weights and Measures. An Act for the prevention of arbitrary and unjust imprisonment. An Act to prevent fraud and imposition in the making of nuncupative Wills. An Act for ascertaining the interest of a Wife or Widow in the Estate of her Husband. An Act for the distribution of Intestates’ personal Estates. An Act for the appointment of Attorneys, and for the fixing of their fees.” These several Acts having received the Royal Assent were proclaimed according to antient custom on the Tynwald Hill. In 1797, the Insular Legislature passed “An Act for the punishment of forgery, perjury, subornation of perjury, and cheating or swindling.” It is worthy of observation that forgery, punishable with death at that time in England, was not

so visited in the Isle of Mann by this Law, but the person convicted was declared "subject to such fine, imprisonment, and corporal punishment, as the Court or Judge shall in their discretion award, and shall for ever after be incapable to hold any office or place of public trust."

In the year 1814, a most important Act was passed, shewing that persons having contracted debts in England, being liable to arrest in the Isle of Mann, does not arise from any Act of the British Government or Parliament, but from an independent Law of the Insular Legislature itself: this Law is entitled "An Act for the more easy recovery of debts contracted out of the limits of the Isle of Mann;" and declares, "Whereas it is expedient that foreign debts shall be recoverable in the said Isle in such and the like manner as debts contracted within the same: We, therefore, your Majesty's dutiful and loyal subjects, the Lieutenant Governor, Council, Deemsters, and Keys of the said Isle, in Tynwald assembled, do humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lieutenant Governor, Council, Deemsters and Keys of the said Isle, in Tynwald, assembled; and by the authority of the same, that from and after the promulgation of this Act, all debts contracted out of the limits of the Isle of Mann shall be recoverable in the said Isle, in such and the like manner, to all intents and purposes, as if such debts had been contracted between the same parties within the limits of the said Isle; Provided that nothing herein before contained shall extend to affect any person who shall have been usually resident within the said Isle for six calendar months immediately preceding the day of the promulgation of this Act. And whereas it would tend still further to facilitate the recovery of foreign debts, if the judgments of the Courts of Great Britain and Ireland were to be recognized in the Courts of the Isle of Mann: Be it therefore further enacted, by the authority aforesaid, that in all cases where any judgment shall have been pronounced against any person in any of the Courts of Great Britain and Ireland for the payment of any debt, it shall be lawful for the Court of Chancery of the Isle of Mann, upon the production of an Office copy of such judgment, and upon such affidavits being made as required by the Law of the said Isle in order to obtain an action of arrest, to issue

the usual action of arrest against such person; and that such Office copy of such judgment shall be deemed *prima facie* evidence of the debt therein mentioned upon the trial or final hearing of such Action."

It is impossible that any Act can prove more clearly that this last the independence of the Manks Laws: the Isle of Mann had been for fifty years vested in the Crown, and yet no order or judgment of an English Court had any authority in that Island, till the Insular Legislature itself gave an authority to them, by allowing refugees for debt to be sued in their Courts, and by receiving the English judgment as *prima facie* evidence; while at the same time the Legislature, true to the laws of national hospitality, continued to extend its protection to all strangers, who had already sought it.

In the year 1817 the Criminal Law of the Island was amended. The Act says, "Whereas it is expedient that certain Treasons, Felonies, and Crimes should be described with greater certainty than has hitherto been done by the laws of the said Isle, and that certain other crimes and offences should be enacted and declared to be Treasons, Felonies, and Misdemeanours: be it therefore further enacted by the authority aforesaid, as follows;" here follow seven points declared to be High Treason and punishable by death, and, after reciting the points, "Be it further enacted by the authority aforesaid, that nothing shall be adjudged to be High Treason in the said Isle, but what is in and by this Act declared to be High Treason." The Act then recites nine clauses describing crimes punishable by death, and thirty recapitalating offences punishable by transportation, fine, or imprisonment. Here again is an example of the Independence of the Insular Legislature, even in matters of High Treason, for this Act of Tywald not only declares what is High Treason, but declares also, that nothing else is High Treason in the Isle of Mann, but what it pronounces to be so.

In the year 1832, the Criminal Law was again altered and amended.

Thus has the Insular Legislature been as free since the Act of Re-vestment as before it: it has exercised an undoubted and unquestioned right to make laws affecting the lives, the liberties, and the property of her Majesty's subjects within that Island: and

in the passing of those laws it has recognised no authority superior to itself, but only that of the Crown of England; the Sovereign of these kingdoms standing in precisely the same relation to the Legislative Body of the Isle of Mann, as to the British Parliament. One branch of Legislature only is affected by the Act of Re-vestment, being that which relates to foreign commerce: the King by that Act became, in the stead of the Lord, Admiral of the ports of the Isle of Mann; but his Majesty's claim upon the revenue derived through those ports was purchased by the Lords of the Treasury with public money, the House of Commons therefore became entitled to be consulted by the Lords of the Treasury on all points, which in future might affect that revenue: thus the exports and imports of the Isle of Mann have been since subject to their legislation, which legislation, as far as regards that Island, has been strictly confined to the regulating of such customs; and in these "fiscal regulations" the Isle of Mann is subject to the interference of Parliament because those revenues were purchased with public money: and the Island is subject to the same interference in the enacting of navigation laws, because by the Act of Re-vestment the King is Admiral of its ports, and in that capacity *absolute*; but the King of England does not exercise an absolute legislative authority in any case without the sanction of some Parliament, and in this case he acts with the concurrence of the British Parliament, because other interests, than those of the Isle of Man, are concerned: when therefore in any such "legislative Act of the British Parliament the Isle of Man be particularly named," then, as Coke and Blackstone say, "the Act extends to that Island, but not otherwise." "The *internal* regulations of the Isle of Man," with which "the Imperial Parliament has no right, constitutionally, to interfere," and with which, as a matter of fact, it never has interfered either before or since the re-vestment, what they are, and what objects they embrace, have been sufficiently exemplified by the foregoing extracts from the Statute Book: suffice it to say, that the Insular Laws provided for every circumstance, cognizable by a Legislature, that arose in that small Commonwealth: and that they so provided for all matters relating to the temporalities of the Church, is also clear from the same extracts; and that they have in like manner provided for the same matters Ecclesiastical since the re-vestment is evident from sundry

Acts empowering Vestries to provide by the levying of rates for new Parish Churches and Churchyards; also from "an Act to enable the Bishop of Sodor and Mann for the time being, to grant leases of such mines, to which he is, or may be, by virtue of his Bishopric, entitled:" and lastly, by an Act now under consideration, for a general commutation of all tithes in the Island; an Act, which, in all probability, will differ in many respects from the English Bill.

All which may be taken as sufficient to establish the Independence of the Manx Legislature so far as regards the Parliament of Great Britain.

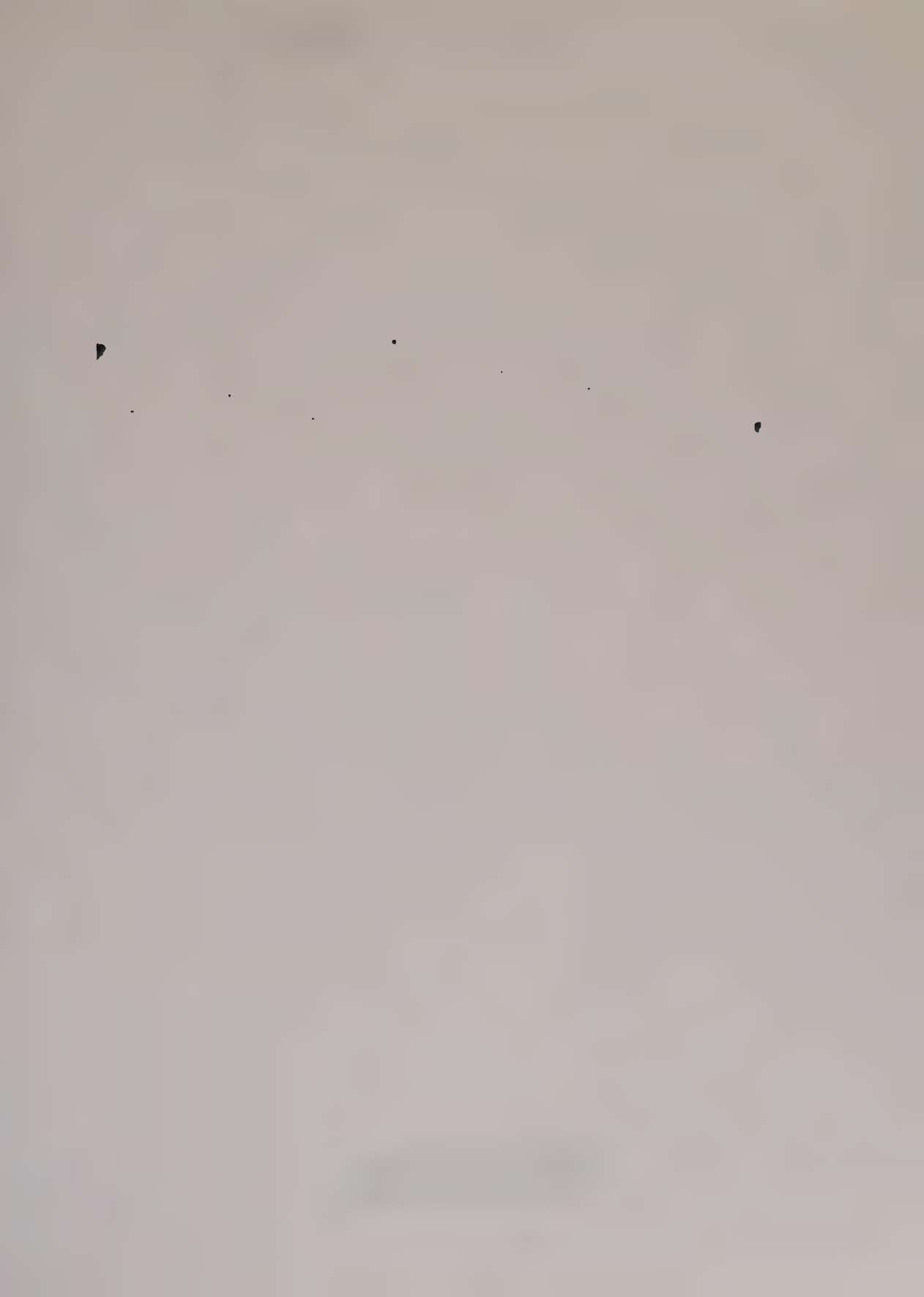
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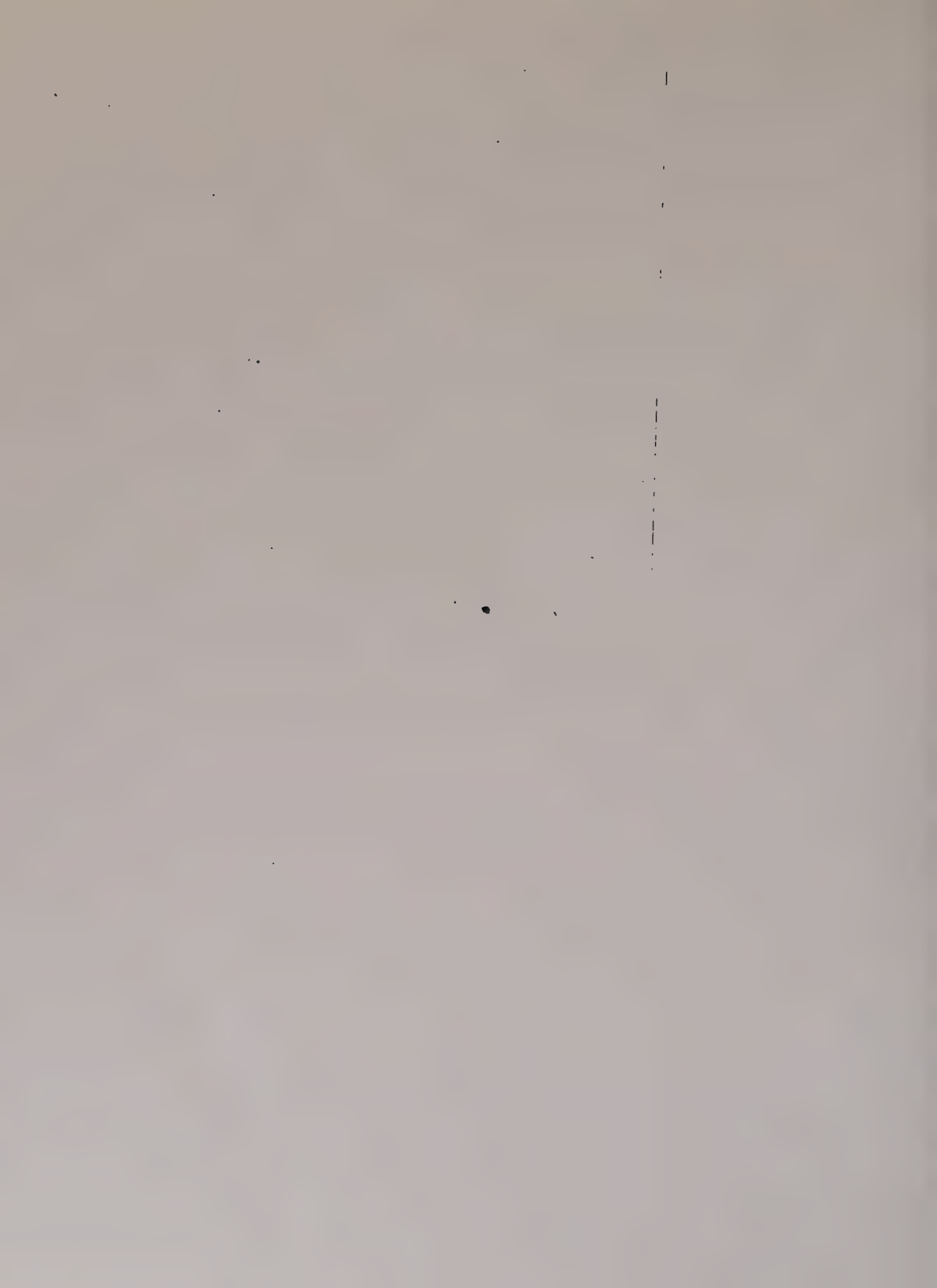
Since the preceding remarks upon "the silent persevering" in the recommendation there alluded to, a discussion has taken place in the House of Lords. From the report of that discussion it will be seen, that the Earl of Ripon, upon the presentation of some petitions from the Isle of Mann, and elsewhere, entered into a full statement of his views and plans with regard to the Bishopric of Sodor and Mann: his Lordship gave his reasons for opposing the annexation of that See to Carlisle, and he also shewed how the only alleged advantage to the Parochial Clergy of the Island might be obtained without subjecting both Clergy and people to the loss of their resident Bishop. To this statement of the Noble Earl's, the only two Episcopal Commissioners in the House replied, by giving their reasons for having originally made the proposition; and also for still continuing to think that proposition a good one: but having given these reasons, they expressed their wish to leave the question for the free decision of Parliament. The courtesy and kindly feeling evinced by all, who joined in the discussion, will be best known by a perusal of the report.

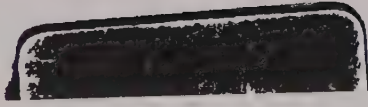
Thus, then, have the Bishops on the Commission declared, that if the Legislature should be inclined to repeal its Act of last Session, so far as regards the Isle of Mann, they will not oppose the progress of a Bill brought in for that purpose. "The responsibility," therefore, as the Archbishop of CANTERBURY observed, "now rests entirely with Parliament." Should, then, this note meet the eye of any individual Member of either House, it may not, perhaps, be unbecoming in one so closely connected with the interests of the Diocese of Sodor and Mann to beg him to remember, when called upon to legislate upon this subject, that while the "responsibility" of leaving that Diocese in its ancient state is *nothing*, the "responsibility" of hazarding a change is as great, as the change itself is sweeping, and the interests at stake important. The change proposed for that Diocese is so sweeping as to

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require an entire re-modelling of the administration of all its spiritual and of many of its temporal affairs: the interests at stake are those of a people too feeble to resist the decisions of a Legislature in which, nevertheless, they have no voice: to a *just* man, therefore, such interests are most important. Surely, then, when it is remembered, that this Act of the British Legislature involves a direct breach of the Insular Statute Laws; when it is remembered, that the proposed arrangement has been strenuously opposed, and that on the highest grounds, by *every* one competent to form a practical judgment upon the question, viz. by the two Bishops, now alive, who have for years preided over that Diocese; by the Archdeacon and Clergy of the Island; by the members of the Manks Bar; by the great body of the respectable inhabitants of *all* classes: when it is remembered further that, as the Bishop of SALISBURY most truly observed in the House of Lords, this proposed arrangement is contemplated with feelings of alarm and sorrow by the Clergy of the Church of England at large: surely, when all this is remembered, it will be strange indeed if Members of the British Legislature do not hesitate, before they incur the "responsibility" of refusing to reconsider and amend their Act of last Session, so far as regards the Bishopric of Sodor and Mann.







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